

## DISMISSAL OF EMPLOYEES

With the exception of lay-offs caused by programmatic changes, budget cuts, staff reorganizations, and/or other personnel actions reducing numbers of employees, employees of the St. Mary Parish School Board shall not be dismissed except in accordance with provisions of State law and this policy. To the extent allowed by State law and School Board policy, the responsibility for dismissal of employees shall be delegated to and shall rest with the Superintendent. No employee shall be entitled to a hearing before the School Board unless such hearing is required by State law or School Board policy.

### CRIMINAL OFFENSES

In accordance with the statutory procedures for dismissal applicable to the employee in question, the Superintendent shall dismiss:

1. An administrator, teacher, or substitute teacher upon final conviction or submission of plea of nolo contendere to any crime listed in La. Rev. Stat. Ann. §15:587.1, even if adjudication was withheld or a pardon or expungement was granted.

However, if the person has obtained tenure, such dismissal shall occur only after a hearing held pursuant to hearing procedures outlined in policy *GBK, Employee Discipline*.

2. An administrator, teacher, or substitute teacher whose name is recorded on the Department of Children and Family Services' state central registry on or after August 1, 2025.
3. An administrator, teacher, or substitute teacher who is found to have submitted fraudulent documentation to the Louisiana Board of Elementary and Secondary Education (BESE) or the Louisiana Department of Education (LDOE) as part of an application for a Louisiana teaching certificate or other teaching authorization.
4. An administrator, teacher, or substitute teacher who is found to have facilitated cheating on any state assessment as determined by BESE.
5. Any other school employee if such employee is convicted of or pleads nolo contendere to crimes enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74.
6. Any school employee who fails to notify his/her supervisor or the director of personnel within twenty-four (24) hours of his/her arrest for a violation of La. Rev. Stat. Ann. §§14:42 through 43.5, 80 through 81.5, any sexual offense affecting minors, any of the crimes provided in La. Rev. Stat. Ann §15:587.1,

or any justified complaint of child abuse or neglect on file in the central registry pursuant to Article 615 of the Children's Code.

7. Any other school employee if the employee's name is recorded on the Department of Children and Family Services' state central registry on or after August 1, 2025.

The Superintendent shall notify the State Superintendent of Education of any employee's dismissal for the criminal offenses no later than thirty (30) days after such dismissal. This policy shall not prohibit the Superintendent from dismissing or otherwise taking disciplinary action against any employee arrested for, but not convicted of, any misdemeanor or felony offense.

### ABANDONMENT OF POSITION

If an employee is absent for ten (10) or more days of work without explanation or approved leave, the School Board may consider the job as abandoned and the Superintendent may notify the employee of termination, unless the employee can provide acceptable and verifiable evidence of extenuating circumstances for such absence. The Superintendent or his/her designee shall be responsible for determining acceptability of evidence of extenuating circumstances provided by the employee.

### CERTIFICATED EMPLOYEES

1. Dismissal of Non-tenured Teachers

The dismissal of non-tenured teachers shall be handled in accordance with the procedures set forth in policy *GBK, Employee Discipline*, for discipline of non-tenured teachers.

2. Dismissal of Tenured Teachers

The dismissal of tenured teachers shall be handled in accordance with the procedures set forth in policy *GBK, Employee Discipline*, for discipline of tenured teachers.

3. Dismissal of Contract Appointees

Personnel who have entered into promotional employment contracts with the School Board, pursuant to La. Rev. Stat. Ann. §17:444, may be removed from their positions by non-renewal of their contracts or by termination of their contracts. Contracts may be non-renewed by the School Board for any of the following reasons:

- A. The Superintendent has recommended against renewal of the contract based on an evaluation of the employee's performance;

- B. The failure to offer a new contract is based on a cause sufficient to support a mid-contract termination;
- C. The position in question has been discontinued; or
- D. The position in question has been eliminated as a result of district reorganization.

In a non-renewal situation, the employee shall not be entitled to a hearing before the School Board or disciplinary hearing officer. The employee shall be returned to his/her former position as a teacher or to a position paying the same salary as his/her former position as a teacher if the employee had previously acquired tenure as a teacher in the system and if the charges against the employee did not simultaneously seek his/her dismissal as a tenured teacher in the system.

In a mid-contract termination situation, the dismissal of a contract appointee shall be governed by the same procedures as those set forth in policy *GBK, Employee Discipline*, for dismissal of tenured teachers

## NON-CERTIFICATED EMPLOYEES

### Bus Operators

Any school bus operator may be removed from his/her position for:

1. The abolition, discontinuance, or consolidation of routes, but then only if it is found as a fact based upon a determination by the Superintendent that it is in the best interest of the school system to abolish, discontinue, or consolidate said route or routes. If abolition, discontinuance, or consolidation of bus routes is approved, the principle of seniority shall apply so that the last school bus operator hired to serve within the school system to be affected shall be the first to be removed.
2. Conviction of or plea of nolo contendere to a violation of a parish or municipal ordinance that prohibits operating a vehicle while intoxicated or of any of the following offenses relative to operating a vehicle while intoxicated, regardless of whether the violation occurred while the bus operator was performing in his/her official capacity as a school bus operator at the time of the offense:
  - La. Rev. Stat. Ann. §14:98, operating a vehicle while intoxicated;
  - La. Rev. Stat. Ann. §14:32.1, vehicular homicide;
  - La. Rev. Stat. Ann. §14:32.8(A)(2), third degree feticide;
  - La. Rev. Stat. Ann. §14:39.1, vehicular negligent injuring; and
  - La. Rev. Stat. Ann. §14:39.2, first degree vehicular negligent injuring.

3. In accordance with La. Rev. Stat. Ann. §17:493(C)(2), the Superintendent shall immediately remove and terminate any bus operator who has been convicted of or pled nolo contendere to a violation of La. Rev. Stat. Ann. §§14:42 through 43 .5, 14:80 through 14:81.5, any other sexual offense affecting minors, any of the crimes provided in La. Rev. Stat. Ann. §15:587.1, or any justified complaint of child abuse or neglect on file in the central registry pursuant to Children's Code Article 615. The termination of a bus operator under this provision is final and is not subject to review.

#### Dismissal of Non-Tenured Bus Operators

Each school bus operator shall serve a probationary term of three (3) years reckoned from the date of his/her first employment with the School Board. During such probationary term, any bus operator may be dismissed by the School Board upon the written recommendation of the Superintendent. After the probationary term ends, a bus operator may be dismissed by the Superintendent in accordance with the same procedures as those set forth in policy *GBK, Employee Discipline*, for dismissal of non-tenured teachers. The bus operator shall not be entitled to a hearing before the School Board.

#### Dismissal of Tenured Bus Operators

No bus operator hired after July 1, 2012 shall earn tenure.

A tenured bus operator may be dismissed for willful neglect of duty, or incompetence, or immorality, or drunkenness while on duty, or failure to comply with requirements of La. Rev. Stat. Ann. §17:491.3 relative to being arrested for one or more of the specified offenses, or physical disability to perform his/her duties, or failure to keep his/her transfer equipment in a safe, comfortable, and practical operating condition, or of being a member of or contributing to any group, organization, movement, or corporation that is prohibited by law or injunction from operating in the state.

A tenured bus operator shall not be removed from his/her position except upon written and signed charges against the bus operator, and the bus operator having been furnished with a copy of such written charges and given the opportunity to respond, in person or in writing, within ten (10) calendar days from written notice of the charges.

The Superintendent shall have ten (10) calendar days from receipt of the school bus operator's response to review such response and to provide written notice to the bus operator of the interim disciplinary action against the bus operator, which may include placing the bus operator on paid administrative leave. If the bus operator has been arrested for a violation of any of La. Rev. Stat. Ann. §§14:42 through 14:43.5, 14:80 through 14:81.5, or any other sexual offense affecting minors, or any of the crimes listed in La. Rev. Stat. Ann. §15:587.1, or a substantiated complaint of child abuse or neglect on file in the central registry pursuant to Children's Code Article 615, the administrative leave shall be without pay. Paid administrative leave shall not exceed fifty (50) days from

notice of the Superintendent's interim disciplinary decision.

Within twenty (20) calendar days after receipt of the Superintendent's interim disciplinary action, if any, the bus operator may request a review hearing before a disciplinary hearing officer. If such request is timely made, the hearing process for the bus operator shall be the same as the hearing process for a tenured teacher found in policy *GBK, Employee Discipline*. If the bus operator fails to timely request a hearing, the interim disciplinary decision of the Superintendent shall become final.

### Dismissal of Other School Employees

All employees of the system whose dismissal is not governed by the provision of La. Rev. Stat. Ann. "17:441-446, or by the provisions of La. Rev. Stat. Ann. "17:491-494, shall be subject to dismissal by the Superintendent after providing the employee with written reasons therefor and providing the employee an opportunity to respond. Such employees shall not be entitled to hearings before the School Board.

### Volunteers and Chaperones

The provisions of this policy shall not apply to volunteers or chaperones. Volunteers and chaperones may be dismissed, at any time and for any reason, by the school principal or superintendent/designee.

Revised: November, 1985  
Revised: December, 1990  
Revised: September, 1991  
Revised: December, 1992  
Revised: May, 1996  
Revised: November, 2003  
Combined with GCN: January, 2007  
Revised: October 14, 2010

Revised: December 8, 2011  
Revised: July 12, 2012  
Revised: October 10, 2013  
Revised: August 14, 2014  
Revised: December 13, 2018  
Revised: February 13, 2020  
Revised: November 10, 2022  
Revised: February 5, 2026

Ref: La. Rev. Stat. Ann. §§13:3204, 15:587.1, 17:15, 17:16, 17:81.5, 17:442, 17:443, 17:444, 17:492, 17:493, 17:493.1; La. Code of Civil Procedure, Art. 2592; Rouselle v. Plaquemines Parish School Board, 633 So2d 1235 (La. 2/28/94); Board minutes, 12-87, 8-9-90, 5-9-91, 3-14-96, 10-14-10, 12-8-11, 7-12-12, 10-10-13, 8-14-14, 12-13-18, 2-13-20, 11-10-22, 2-5-26.