



Ascension Parish  
School Board

**Employee  
Handbook**

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Superintendent

Prepared by the  
Human Resources Department  
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## **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 Ascension 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 Ascension Parish School Board Policy Manual can be found at the school board office and on our website at [www.apsb.org](http://www.apsb.org). 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 Ascension 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 Human Resources 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 Ascension 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 Ascension Parish School Board, all employment with the Ascension 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 Ascension 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 1100 Webster Street, Donaldsonville, LA, 70346, and 225-391-7000 or 225-257-2000.

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## **I. EMPLOYMENT OF PERSONNEL**

Employees are hired by a letter from the Superintendent. Upon receipt of the employment letter, newly hired employees are required to submit (to) the following: (a) necessary information for a criminal background check; (b) drug screening; (c) I-9 Immigration form. Initial employment is always contingent upon satisfactory reports from the criminal background check and drug screening. 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. All employees are required to sign acknowledging receipt of their Employee Handbook.

## **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.

A standard applicant fingerprint card and a disclosure authorization form shall be provided to the applicant by the School Board or may be obtained from local police authorities. It shall be the responsibility of the applicant to have his/her fingerprints taken by the recommended authority for processing. 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 HUMAN RESOURCES DEPARTMENT**

Please contact the Human Resources Department for assistance in the following situations:

- Changes in name, address, insurance dependents/beneficiaries, tax withholding, and voluntary deductions. Please note - changes must be made by the 5th of the month to be effective for that month's paycheck.
- 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 online at [www.teachlouisiana.net](http://www.teachlouisiana.net). These applications must be submitted to the school board office as the employing authority must sign.
- Teacher Tuition Exemption forms. These forms may be obtained from the School Board website ([www.apsb.org](http://www.apsb.org)) and must be signed by your principal. Completed forms must be received in the school board office (mail or electronically) no later than these deadlines indicated below. If the deadline falls on the weekend, applications will be accepted at the close of the next business day.

Spring Semester	November 15th
Maymester	April 15th
Summer Semester	April 15th
Fall Semester	June 15th

#### **IV. PERSONNEL RECORDS (see Policy GAK)**

Personnel records for all employees are kept in the School Board Office in Donaldsonville. Each employee has the right to view his/her personnel file. S/he should contact the Director of Human Resources 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).

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 to 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 15<sup>th</sup> of each month for 9- and 9 ½-month employees, and about the 25<sup>th</sup> of the month for 10-, 11-, and 12-month employees. If the 15<sup>th</sup> or 25<sup>th</sup> falls on a weekend, those checks will be distributed on the last working day prior to the 15<sup>th</sup> or 25<sup>th</sup>. 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.

**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
- ◆ Supplemental Insurance
- ◆ Vision Insurance
- ◆ Dental Insurance
- ◆ Professional Dues
- ◆ Credit Union
- ◆ 403(b) Annuity
- ◆ United Way
- ◆ Organization Dues

**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 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 payroll period following the date that the degree is placed on his/her teaching certificate.

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 Ascension 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. Employees may bank up to 80 hours (80 = 53.33 hrs of overtime x 1.5).
2. Employees will be allowed to use banked 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 Department Head, 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 Ascension 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. Full-time employees are also provided dental and vision coverage, and may elect these coverage's for family members, with the cost of the premiums for the family members to be paid by the employee. Open Enrollment occurs each year, usually in the month of September, in which employees may choose among the options offered. This election will be effective for the following benefit year, beginning on November 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.)

### **Insurances Offered to Employees:**

Blue Cross Blue Shield of LA –  
1-800-495-2583 [www.bcbsla.com](http://www.bcbsla.com)

AlwaysCare (Dental): 1-888-729-5433  
Ext. 2013  
[www.alwayscarebenefits.com](http://www.alwayscarebenefits.com)

EyeMed Vision: 1-866-939-3633  
[www.eyemedvision.com](http://www.eyemedvision.com)  
**I.D. Cards** – 877-226-1115

Disability: Standard Disability 1-800-368-1135

Annuities:  
American United Life (One America): 1-800-249-6269  
[www.accountservices.aul.com](http://www.accountservices.aul.com)

Life Insurance:  
Reliance Standard – 1-800-351-7500  
[www.reliancestandard.com](http://www.reliancestandard.com)

Critical Illness, Accident & Whole Life:  
Unum Provident - 1-800-635-5597

### **Insurance Contacts:**



**Rasheen Cayette**  
rasheen.cayette@apsb.org  
225-391-7112

**Employee Insurance**  
Employee.Insurance@apsb.org  
225-391-7113

## **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 Nova time. Employees requiring a Substitute in their absence will need to call in to Kelly Services in addition to Nova Time. Failure to abide by this policy will result in a corresponding deduction from the employee's accrued annual 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 APSB 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 Human Resources 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 Superintendent and Human Resources 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 Human Resources 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 her 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 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 the NovaTime. 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).**

Each 9-, 9.5-, and 10-month employee shall be granted 10 days absence per year because of personal illness or other emergencies without loss of pay. 12-month employees shall be granted 12 such days. However, no employee shall be allowed any sick leave until s/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:

<u>employees</u>	<u>9, 9.5, 10</u>	<u>12 month employees</u>
in the month of July	--	12 days
in the month of August	10 days	11 days
in the month of September	9 days	10 days
in the month of October	8 days	9 days
in the month of November	7 days	8 days
in the month of December	6 days	7 days
in the month of January	5 days	6 days
in the month of February	4 days	5 days
in the month of March	3 days	4 days
in the month of April	2 days	3 days
in the month of May	1 day	2 days
in the month of June	0 days	1 days

Employees on Louisiana extended sick leave, leave without pay or on worker's 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;
- ◆ Court summons; or
- ◆ 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 45 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 forty-five (45) 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.

**D. Bereavement (see policy GBRIB).** Two (2) days bereavement leave shall be granted to employees in the event of the death of an immediate family member without the absence(s) being charged to either sick leave or annual leave.

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.

If additional days are requested, the employee may utilize a maximum of 3 sick days if there are sick days remaining. If the employee has exhausted all sick leave, the time will be deducted from pay.

The principal or department head shall be responsible for verifying bereavement leave requested.

When calling bereavement days into the TSSI system, use the following budget code:

- |            |                          |                     |
|------------|--------------------------|---------------------|
| 1. Spouse  | 7. Grandparent           | 12. Brother-in-law  |
| 2. Child   | 8. Grandparent of Spouse | 13. Sister-in-law   |
| 3. Mother  | 9. Grandchild            | 14. Daughter-in-law |
| 4. Father  | 10. Mother-in-law        | 15. Son-in-law      |
| 5. Brother | 11. Father-in-law        |                     |
| 6. Sister  |                          |                     |

**E. 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. Employees in non-certified teaching positions must be absent for ten (10) consecutive days in order to be eligible to apply for Extended Sick Leave. Employees in certified teaching positions must exhaust all of their sick leave in order to become eligible for extended sick leave. 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 in no event later than three days from the date the employee returns to work. Applications not received within the required time will be denied. Leave forms can be found at [www.apsb.org/leave](http://www.apsb.org/leave). 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. Employees on extended medical leave may not be employed elsewhere unless **all** of the following conditions are met:

- ◆ The employment is no more than 20 hours per week.
- ◆ The employee has worked at the part-time job at least 120 days prior to the inception of the extended medical leave.
- ◆ The doctor who recommended the extended medical leave certifies that the part-time employment will not interfere with the purpose of the leave.

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

**F. Personal Leave.** Teachers and all other employees, except bus drivers and those who receive annual leave 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.

**G. Maternity Leave.** The Ascension Parish School Board shall grant to regularly employed employees maternity leave for a reasonable time before and after childbirth upon proper application to the Board for maternity leave. Such request shall be made prior to the fifth month of pregnancy and shall be accompanied by a physician's statement attesting to the need of the leave for maternity purposes. The Board shall determine, after consultation with all parties, a reasonable length of time that shall be granted for maternity leave.

The maternity leave provided for herein shall be without pay and although it shall not affect tenure or salary rights acquired prior to taking such leave, time spent on maternity leave shall not be counted toward acquiring tenure or for salary schedule purposes. Maternity leave for the period of disability occasioned by pregnancy and/or childbirth shall not interrupt the consecutive service for sabbatical leave purposes.

Employees desiring to use current and accumulated sick leave days in lieu of maternity, leave shall state such request and anticipated number of days to be used on the application for sick leave, in accordance with provisions found in policy GBRIB, Sick Leave.

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

**H. Annual Leave (Vacation) (see policy GBRK).** All twelve-month employees shall be granted annual leave. Employees hired during a fiscal year shall be granted 2.5 days of vacation after 3 months of employment, and .834 days of vacation for each month worked during fiscal year thereafter, up to a maximum of ten (10) days. All other twelve-month employees shall be granted annual leave as follows:

<b>Years of Service</b>	<b>Annual Leave Granted (In days)</b>	<b>Monthly Accrual Rate (In days)</b>
0 - 4	10	0.834
5	11	0.917
6	12	1.000
7	13	1.084
8	14	1.167
9	15	1.250
10	16	1.334
11	17	1.417
12	18	1.500
13	19	1.584
14	20	1.667

Vacation leave shall be credited on a monthly basis according to the accrual rates indicated above. Annual leave may be accumulated and carried forward as earned up to a maximum of twenty (20) working days. If any employee's annual leave balance reaches twenty (20) days, the accrual of leave will stop until the employee's balance falls below the maximum of twenty (20) days.

**I. 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.

**J. Sabbatical Medical Leave (see Policy GBRHA).** All teaching personnel shall be granted sabbatical medical leave at the discretion of the Superintendent. Teachers are eligible for two semesters immediately following twelve or more semesters of consecutive service or one semester immediately following six semesters of consecutive service. Leave without pay is

deemed to be an interruption of consecutive service (i.e. a docked day). The teacher must provide a statement from a licensed physician stating that the leave is medically necessary. The pay will be 65% of the teacher's pay at the time the leave begins. Medical sabbatical leaves that begin after a semester has started will terminate at the end of that semester (or at the end of the next semester, if the leave was for two semesters). Sabbatical medical leave must be applied for on the approved form, and submitted to the superintendent at least 60 days preceding the beginning of the semester of the school year for which leave is requested. (In case of emergency, the request may be submitted 30 days prior.) An employee on sabbatical medical leave may not be otherwise employed unless all of the following criteria are met:

- ❑ Employment is for no more than 20 hours per week.
- ❑ The employee has been working in this part-time job 120 or more days prior to the beginning of the sabbatical leave
- ❑ The physician who recommended the leave certifies that part-time employment does not impair the purpose for which the leave is required.
- ❑ The School Board authorizes the part-time work.
- ❑ The employee is not working for any public or private elementary or secondary school in Louisiana or in any other state.

**K. Sabbatical Leave for Professional Development (see Policy GBRHA).** Teachers are eligible for two semesters of sabbatical leave for professional development immediately following twelve or more semesters of consecutive service or one semester immediately following six semesters of consecutive service. Leave without pay is deemed to be an interruption of consecutive service (i.e. a docked day). They are required to earn 9 undergraduate credit hours, provided such hours directly improve the person's skills and knowledge as a teacher, or six (6) graduate credit hours, or be certified as a fulltime student at an institution of higher learning accredited by the respective State Board of Education or territorial board in which such institution is located.

The pay will be 65% of the teacher's pay at the time the leave begins. Sabbatical leave for professional improvement must be applied for on the approved form, and submitted to the superintendent at least 60 days preceding the beginning of the semester of the school year for which leave is requested. Teachers on professional sabbatical leave are prohibited from employment by any public or private elementary or secondary school in Louisiana or any other state.

**L. Military Leave (see Policy GBRID).** Leave with pay for military purposes, not to exceed fifteen (15) working days in one calendar year, shall be granted to 12-month employees or to employees called to emergency duty during the school year. Leave without pay shall be granted when leave is for more than fifteen (15) working days or to other employees who do not qualify for leave with pay. 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.

An employee on extended military leave (longer than fifteen (15) days) must apply for reinstatement of his/her former position within thirty (30) days after end of leave; he/she shall then be reinstated at the salary then in force in the salary schedule. The Board may transfer the employee to a position of comparable status if, in the opinion of the Board, such action is beneficial to the school system.

**M. Family and Medical Leave (see Policy GBRIBA).**

The Ascension 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.

### **Military Family Leave**

### Qualifying Exigency Leave

Eligible employees who are the spouse, son, daughter, or parent of a military member may take up to 12 weeks of FMLA leave during any 12-month period to address the common issues that arise when a military member is deployed to a foreign country. This provision applies to the families of members of both the active duty and reserve components of the Armed Forces.

### Military Caregiver Leave

Eligible employees who are the spouse, son, daughter, parent or next of kin of a covered service member may take up to 26 weeks of FMLA leave during a single 12-month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty on active duty. This provision applies to the families of members of both the active duty and reserve components of the Armed Forces.

A covered service member is either:

- A current member of the Armed Forces (including a member of the National Guard or Reserves) who is under treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a illness, or
- A veteran of the Armed Forces (including the National Guard or Reserves) discharged within the five-year period preceding the date the employee first take military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness.

**N. Leave Without Pay (see Policy GBRIA).** 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.

At the time leave without pay is granted, the Board may declare at its discretion that all or certain of such leaves shall not be deemed to interrupt active service for sabbatical leave purposes.

### Continuation of benefits

Employees will be allowed to continue benefits while on leave without pay, but will be required to pay both the employee and employer portion of premiums after 12 weeks on leave without pay. Premiums are due by the fifteen of the month of coverage.

For benefits that may be continued beyond the 12 weeks, the employee must arrange in advance to pay any required premium(s)-*both employee and employer portions*-directly to the insurance office. If the employee chooses not to continue your sponsored coverage, or if you do not pay your premium(s) on time, your coverage will end on the last day of the month for which premiums or contributions are paid.



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

**O. 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.

**P. 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**

Ascension Parish School Board's Employee Conduct and Work Rules ensures orderly operations and provide the best possible work environment. Ascension 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 Ascension Parish School Board premises, attending APSB 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, Ascension Parish School Board complies with all applicable federal, state and local laws and regulations concerning employer/employee rights and obligations.

### **Theft**

Ascension 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 Ascension 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 Ascension 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.

## **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 Ascension 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 Human Resources 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 resignation form indicating the reason for the resignation, and submit it to the Superintendent for acceptance. The form can be obtained from the principal/supervisor. A teacher who is under contract is to obtain from the Superintendent a release from his/her contract before she/he may accept employment elsewhere during the term of the contract. The Superintendent shall provide written acceptance of the resignation to the employee, including the date of acceptance and setting forth the effective date of resignation.

Once the Superintendent has accepted the resignation, it may not be withdrawn by the employee. The immediate supervisor shall be informed in writing of the resignation. The resignation and its acceptance should be reported as information to the Board at the next regular or special 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. AVAILABLE POSITIONS**

Notification of vacancies and new positions with the school board will be posted on the school board's website (www.apsb.org), and also be sent to employees through email notification.

## **XII. 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 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 transfer 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.

The principal shall have the authority to transfer employees at the school in which the principal is employed, subject to the approval of the Superintendent.

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.

## **XIII. WORKER'S COMPENSATION (see Policy EGAA)**

The Ascension 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.

## 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*).

## **XIV. COMPLAINTS AND GRIEVANCES (see Policy GAE)**

Any employee of the Ascension 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 no later than five (5) working days from the date of the discussion with the immediate supervisor. 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 attempt to resolve the grievance. 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 submission. 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 next administrative officer of higher rank than the grievant's immediate supervisor. 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. The administrative officer shall schedule a meeting with the employee as promptly as is reasonably possible to attempt to resolve the grievance. Notice of the conference shall be given to all parties involved in an alleged grievance. The administrative officer shall issue a written decision to the grievant within five (5) working days after the conference. Unless the grievance shall be so appealed, it shall be deemed to have been settled and the grievant shall have no further right with respect to said grievance.

Step 3. In the event the grievant wishes to appeal the decision at Step 2, the appeal must be presented to the Superintendent 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. 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.

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

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

A. Should any Ascension 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 Ascension 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.

C. 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.

## **XVI. R.S. 17:416.18– EDUCATOR’S RIGHT TO TEACH**

R.S. 17:416.18 includes the following provisions:

1. A teacher has the right to teach free from the fear of frivolous law suits, including the right of indemnification by the employing school board for actions taken in the performance of duties of the teacher’s employment.
2. A teacher has the right to appropriately discipline students in accordance with R.S. 17:223 and R.S. 17:416 through 416.16 and any city, parish, or other local public school board regulation.
3. A teacher has the right to remove any persistently disruptive student from his classroom when the student’s behavior prevents the orderly instruction of other students or when the student displays impudent or defiant behavior and to place the student in the custody of the principal or his designee pursuant to R.S. 17:416(A)(1)(c).
4. A teacher has the right to have his or her professional judgment and discretion respected by school and district administrators in any disciplinary action taken by the teacher in accordance with school and district policy and with R.S. 17:416(A)(1)(c).
5. A teacher has the right to teach in a safe, secure, and orderly environment that is conducive to learning and free from recognized dangers or hazards that are causing or likely to cause serious injury in accordance with R.S. 17:416.9 and 416.16.
6. A teacher has the right to be treated with civility and respect as provided in R.S. 17:416.12.
7. A teacher has the right to communicate with and involve parents in appropriate student disciplinary decisions pursuant to R.S. 17:235.1 and 416(A)
8. A teacher has the right to be free from excessively burdensome disciplinary paperwork.

No city, parish, or other local public school board shall establish policies that prevent teachers from exercising the rights provided in this Section or in any other provision included in R.S. 17:416 through 416.16

## **XVII. EMPLOYEE ELECTRONIC COMMUNICATION WITH STUDENTS**

Louisiana Revised Statute 17:18 requires that the Ascension Parish School Board (APSB) develop and implement policies, procedures, and guidelines relative to electronic communications between students and teachers. To implement this law, the Ascension Parish School Board adopted Policy GAMIA.

The Ascension Parish School Board recognizes that the reputations and careers of students and educators have been damaged due to inappropriate electronic communications. Therefore, it is the intent of the Ascension Parish School Board to make all employees and students aware of the expectations and procedures regarding the proper use of all telecommunication devices and computers.

These Procedures and Guidelines establish and ensure that the staff and parents are informed regarding the expectations relative to electronic communication by an employee with a student enrolled at that school and vice versa. They provide a protocol for the management and

administration of the components of the Ascension Parish School Board's policy relating to employee electronic communication with students.

These guidelines are not intended to limit or impede the use of technology as a meaningful teaching tool.

#### 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. *Educational Services or Educational Purposes* – includes any and all of the activities related to the school or education including homework assignments, absenteeism, tutoring, extracurricular activities, sports, clubs, school performance, test results, class work, or discipline.
3. *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.

#### VIOLATIONS OF THE POLICY, PROCEDURE, AND GUIDELINES.

The following acts shall be considered to be violations:

1. Failing to report an instance of communication using a non-School System electronic communication system with a student at that school.
2. Utilizing the School System or personal electronic communication system with a student at that school for non-educational services or purposes; and
3. Contacting a student when the parents have opted out in writing of individual communication with employees.
4. Engaging in any improper or inappropriate communications.

#### INVESTIGATIONS OF ALLEGED 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 allegations, and the specific allegations made.
2. The supervisor shall meet with the employee to document his/her response to the allegation, The employee shall cooperate fully with the investigation.
3. All information of the investigation shall be provided to the Superintendent and the Personnel Director by the supervisor.

#### PROTOCOL

1. All electronic communication by an employee with a student enrolled in that school must be relative to the educational services or purposes provided to the student and shall be



- made or delivered by means or devices provided by or otherwise made available by the School System for this purpose.
2. School board employee are prohibited from using any System electronic communication with a student for a purpose not related to educational services or purposes except for communication with the employee's immediate family.
  3. School System electronic communication devices or means that are approved include, but are not limited to, any school owned, sponsored, or issued email accounts, internet or web-sites, telephones, cellular phones, 2 way radios, pagers, facsimile machines, or any other school system owned or operated means of communication.
  4. Except as provided in Numbers 5 and 6 below, the occurrence of any electronic communication made by an employee at the school from a student enrolled at that school using means other than ones provided by or made available by the School System or that is not permitted by this Policy shall be reported by the employee using the Reporting Form. Said Reporting Form shall be completed by the end of the next work day following the communication and turned in to the school principal. The Reporting Form shall be maintained by the site administrator for a period of a least one year.
  5. Recognizing the value of electronic communications as a teaching aid, this policy and protocol does not prohibit an employee from using an Electronic communication to communicate related to educational services or purposes for mass or group emails provided to or with more than one student simultaneously, such as to a class, team, or club members. Further, it does not prohibit electronic communications between employees and students who are members of the employee's immediate family. In such events, the employee does not have to report the electronic communication using the Reporting Form.
  6. If the school system does not provide School System electronic communication devices or means, then this policy and protocol does not apply to electronic communications during school related or sponsored field trips, functions, or events, where the electronic communication with students is necessary for coordination, for the safety of students, or for some other reasonable purpose connected therewith. However, in advance of the trip, function or event, the employee (s) must notify the Principal of the intent to communicate with the students via electronic communication by other means than those provided by the School System.
  7. It is the duty of each employee to comply with the Policy and Procedures and Guidelines regarding electronic communication. Failure to comply shall constitute willful neglect of duty and may result in disciplinary action against the employee, including termination.
  8. Any suspected violations of this Policy or Procedures and Guidelines should be reported in writing to the School Principal, Supervisor, or Director. Any violation shall be promptly, thoroughly, and fairly investigated.
  9. Any alleged violation of the Board's Policy or these Procedures and Guidelines that may also be a violation of state or federal law shall be reported to the proper authorities.
  10. All employees and parents of students shall be notified of the Policy and the Procedures and Guidelines that may also be a violation of state or federal law shall be reported to the proper authorities.

11. The Policy (GAMIA) and these Procedures and Guidelines shall be posted on the School System website and shall be included in *APSB Student Handbook – Rights & Responsibilities & Discipline Policy* and the School System website.
12. The parents of any student may submit written documentation to the School Principal that their child not be contacted individually through electronic communication from any school employee at the school where their child is enrolled. However, exercise of said option shall not include or prohibit electronic communication made by an employee to group, class or team.
13. Retaliation against one who files a report of an alleged violation by anyone associated with the School System is prohibited.

### **XVIII. ELECTRONIC MAIL AND INTERNET POLICY (see Policy EFA)**

This document describes the School Board's policy with regard to access and disclosure of electronic mail messages sent or received by office personnel, the access and research function of the Internet and the use of the office computer systems. All rules, policies and procedures concerning work-related activities and correspondence apply equally to the use of electronic mail and Internet access.

The School Board respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of the School Board's equipment or supplies. You should be aware that the following guidelines may affect your privacy in the workplace.

#### **Management's Right to Access Information**

The electronic mail system has been installed by the School Board to facilitate business communications. Although each employee has an individual password to access this system, all data belongs to the School Board and the contents of electronic mail communications are accessible at all times by management for any business purpose.

Internet web access has been provided to certain individuals within this office for research purposes. Audit reports are generated which reports each individual's activity while on the Internet. This audit trail is accessible to management and may be reviewed to ensure compliance with this policy regarding its use.

The office data systems may be subject to periodic unannounced inspections, and should be treated like other shared filing systems. All system passwords must be available to management, and you may not install non-standard security or encryption programs without turning over appropriate passwords or encryption keys to the Administrator.

All electronic mail messages are School Board records. The contents of electronic mail, properly obtained for legitimate business purposes, may be disclosed within the office without your permission. Therefore you should not assume that messages are confidential.

#### **Personal Use of Electronic Mail**

Because the School Board provides the electronic mail system to assist you in the performance of your job, you should use it for official business only. Incidental and occasional personal use of electronic mail is permitted, but these messages will be treated the same as other messages. The School Board reserves the right to access and disclose as necessary *all* messages sent over its electronic mail system, without regard to content.

Since your personal messages can be accessed by management without prior notice, you should not use electronic mail to transmit any messages you would not want read by a third party. Moreover, you should not use these systems for such purposes as soliciting or proselytizing for commercial ventures, or personal causes, outside organizations or other similar, non-job-related solicitations.

Any persons misusing the electronic mail system may be subject to disciplinary action, up to and including termination.

### **Personal Use of Internet Access**

The School Board provides Internet web access to select individuals for particular job related needs. This access should be used for business research purposes only. Occasional personal use of Internet access is permitted. However, the School Board reserves the right to monitor use of Internet access to ensure that it complies with all stated policies and professional conduct standards.

Any persons misusing Internet access will be subject to disciplinary action up to and including termination.

### **Forbidden Content of E-Mail Communications and Internet web access**

You may not use the electronic mail system or Internet web access in any way that may be seen as insulting, disruptive or offensive by other persons, or harmful to morale. Examples of forbidden content for E-mail transmissions or Internet web sites include sexually-explicit pictures, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other messages or data that could be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, age, disability, national origin, or religious or political beliefs.

Use of the electronic mail system or Internet access in violation of these guidelines may result in disciplinary action, up to and including termination.

***By using the School Board's electronic mail system or Internet web access, you are agreeing to adhere to the electronic mail and internal policy as set forth above.***

## **XIX. EMPLOYEE DRUG AND ALCOHOL POLICY**

### **ASCENSION PARISH SCHOOL BOARD - POLICY GAMEA DRUG POLICY**

#### **I. STATEMENT OF PURPOSE**

The children of Louisiana are the greatest natural resource this state provides and their continued safety and health is of serious importance to state and local education agencies. Therefore, the Ascension Parish School Board will not tolerate drug or alcohol use, which imperils the safety or health of students or employees. Alcohol, illegal drugs, or any controlled substances, whether on or within the course and scope of your employment, is clearly prohibited and is a violation of this policy.

Recognizing that substance abuse is a medical problem which can often be successfully arrested and treated, the Ascension Parish School Board will encourage voluntary drug and alcohol abuse assessments that may lead to outpatient counseling or treatment.

Employees should be informed about the hazards of drug and alcohol use and abuse and the assistance available through Employee Assistance Programs (EAP).

It is imperative that employees be assured that personal dignity and privacy will be respected in reaching the goal of a drug-free school.

In pursuit of a drug-free workplace, this plan establishes policies and guidelines for:

- 1) Drug Abuse Awareness
- 2) Employee Assistance
- 3) Supervisory Training
- 4) Identification of illegal drug use through testing on a carefully controlled and monitored basis and job related accident testing for drugs and alcohol.

The School Board will vigorously comply with the requirements of the Drug-Free Workplace Act of 1988, Drug-Free Certification Compliance and Act 1036 of the 1990 session of the Louisiana Legislature.

#### **II. DRUG-FREE AWARENESS PROGRAM**

To assist School Board employees in understanding the perils of drug and alcohol abuse, the Ascension Parish School Board has developed a comprehensive awareness program. The School Board will use the program in an ongoing effort for the prevention and elimination of drug and alcohol abuse in the workplace.

It shall be the responsibilities of the personnel office and the Drug-Free Schools Coordinator(s) to ensure implementation of the program.

The Drug-Free Awareness Program will provide employees with information about:

- 1) The harmful dangers of drug and alcohol abuse in the workplace.

- 2) The School Board's policy concerning the use or abuse of drugs or alcohol.
- 3) The availability of treatment and counseling for employees who voluntarily seek or accept such assistance.
- 4) The sanctions the School Board will impose for violations of its Drug-Free Workplace Policy.

### **III. VOLUNTARY TREATMENT POLICY**

The ability to recognize the problems associated with drug abuse and chemical dependency and the implementation of effective intervention programs leading to rehabilitation is essential for a successful EAP. The School Board encourages the earliest possible intervention and treatment for abuse or chemical dependency.

It is the primary responsibility of the employee to seek assistance and/or treatment. The School Board will assist employees in recognizing a dependency problem and to make referral for an assessment by a Board approved chemical dependency treatment unit.

Employees referred to an EAP, whether voluntarily or involuntarily, will not have their employment or job security interrupted or jeopardized solely due to participation in assessment, drug screening, treatment, or outpatient counseling.

Policies for leave-of-absence and group insurance coverage will apply as stated in the School Board policies and insurance plan.

A School Board employee may contact the EAP coordinator for assistance in obtaining assessment, counseling, or treatment. Such action is considered voluntary if it is not the result of a positive drug or alcohol test.

Supervisors will use established Board approved evaluation procedures to identify performance that is below "satisfactory." If the supervisor making the evaluation rates the employee in need of improvement or unsatisfactory and suspects alcohol or drug abuse, the employee will be referred to the EAP through procedures established by the Office of Personnel. Such referral is considered involuntary and is mandated policy. The decision to accept assessment counseling and/or treatment is the responsibility of each employee.

An employee who refuses assessment, counseling, or treatment, or an employee who undergoes treatment and relapses and whose performance is evaluated to need improvement or is unsatisfactory, will be subject to due process and discipline procedures like any other employee with a similar evaluation rating and may result in personnel actions including terminations.

To assist School Board employees, the School Board has an Employee Assistance Coordinator located in the Office of Personnel or under the direction of the Drug-Free Schools Coordinator.

Employee assistance will be provided to employees, but the costs for services of assessment and/or treatment will be the responsibility of the employee. The School Board will provide a leave option for employees who need leave from work for treatment in an approved chemical dependency unit (CDU). The leave will be provided for employees who voluntarily seek treatment and whom an EAP Coordinator refers to an approved CDU.

Any referrals of employees will be made only to qualified and approved chemical dependency units.

Employees provided assistance by the EAP must continue to meet the standards of conduct and job performance. Disciplinary action may be taken for violation of the Policy for Alcohol and Drug Abuse.

Employees returning from treatment may be asked to sign an Agreement of Recovery if deemed appropriate by the School Board.

#### **IV. EMPLOYEE ASSISTANCE PROGRAM**

An Employee Assistance Program is offered to all employees of the Ascension Parish School Board who may be adversely affected by drug and alcohol abuse or chemical dependency.

An objective of an EAP is to identify employees experiencing alcohol and other drug problems and motivate them to resolve their problems, and provide access to counseling or treatment.

Retaining the employee and improving job performance while improving personal, family and social relationships is another important EAP objective.

Employees may be referred to an EAP if a confirmed positive test result is indicated. Refusal to cooperate with the EAP Coordinator may result in appropriate disciplinary action.

If an employee is referred to an EAP due to a positive drug or alcohol test, the EAP shall implement the following:

- 1) Employee is evaluated and referred to an approved treatment program for assessment, which will include additional drug testing.
- 2) Employee assessment may lead to a recommendation for inpatient or outpatient treatment.
- 3) Employees must sign an agreement for the treatment unit to share information with the EAP Coordinator and the Ascension Parish School Board's Medical Review Officer (MRO). Information will be kept confidential and will not be part of the employee's personnel file.
- 4) Following discharge from treatment, the EAP Coordinator will continue to monitor the employee and provide assistance when deemed appropriate.

The employee's decision to seek prior assistance from the Employee Assistance Program will not be used against the employee in any disciplinary proceeding. On the other hand, using the EAP will not be a defense to the imposition of disciplinary action where facts proving a violation of this Policy are obtained outside the EAP. Accordingly, the purposes and practices of this Policy and the EAP are not in conflict and are distinctly separate in their applications.

## **V. SUPERVISORY TRAINING PROGRAM**

All school employees have a person who evaluates their job performance and is in a supervisory position; therefore, supervisors play an important role in providing an environment conducive to a Drug-Free Workplace. Supervisors and administrators shall receive training by the Ascension Parish School Board's EAP in recognizing alcohol and drug abuse by its employees.

The Drug-Free Schools Coordinator and the Office of Personnel shall jointly implement training for supervisors and administrators. The EAP office will be responsible for developing a training package and will be housed in the Office of Personnel.

All supervisors and administrators shall be required to complete a three-clock-hour EAP course as part of an ongoing staff development program.

The training will cover the following areas:

- 1) Board policies related to job performance and problems related to the use and abuse of drugs and alcohol.
- 2) Board responsibility in offering assistance to employees needing help.
- 3) Ways to recognize symptoms of drug use and abuse and the behavioral changes of the employee.
- 4) Documentation procedures for employees.
- 5) Evaluating how job performance and disciplinary action relates to an EAP process.
- 6) Ways employees are identified, interviewed and referred for assessment and/or treatment.
- 7) How the employee reenters the job position after treatment occurs.

Job descriptions for all school supervisors and administrators will reflect their responsibility in providing a Drug-Free Workplace.

## **VI. PROTOCOL FOR AUTHORIZED USE OF PRESCRIBED MEDICINE**

Employees of the Ascension Parish School Board undergoing medical treatment with any prescribed drug which may alter their mental or physical ability or behavior may report this treatment to the Employee Assistance Coordinator and must report all prescribed drugs to a medical review officer conducting a drug test.

All prescribed medicine must be kept in its original container, which identifies the drug with the date of the prescription and medical doctor written on container.

## **VII. ARREST OR CONVICTION UNDER CRIMINAL DRUG STATUTE**

Any employee whose position requires a Louisiana Teaching Certificate may be denied the certificate or have it revoked if a certified court record indicates that the individual has received a final conviction by any state or federal court of a felony offense.

A Louisiana certificate may be denied, suspended, or revoked if a teacher presents fraudulent documentation pertaining to his/her certificate to the Board of Elementary and Secondary Education or the Department of Education.

## **VIII. PROHIBITIONS**

The Ascension Parish School Board Alcohol and Drug-Free Workplace Policy promotes drug-free schools and prohibits the following:

- 1) Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs or drug paraphernalia on School Board property;
- 2) Use, possession, manufacture, distribution, dispensation, or sale of a controlled substance or alcohol on the property of School Board or in a vehicle owned by School Board;
- 3) Storing in a locker, desk, automobile, school bus, or other School Board premises any illegal drug, drug paraphernalia, controlled substance, or alcohol whose use is unauthorized;

(Drugs, controlled substances, or alcohol seized or collected must be identified, labeled, and secured in a school vault and the DFSC Coordinator must be notified in writing of the seized substances. Collected or seized substances may not be stored in desks or places accessible to employees or students);

- 4) Being intoxicated or under the influences of an unauthorized controlled substance, illegal drug or alcohol on School Board property, in School Board owned, contracted, or leased vehicles, or during working hours and extra curricula related activities. "Being under the influence" of alcohol is defined as a blood alcohol content of .02% and "being under the influence" of a controlled substance or illegal drug is defined as testing positive at a detectable level;
- 5) Use of drugs, controlled substances, or alcohol off School Board property that adversely affects the employee's job performance, his/her or others' safety at work;
- 6) Arrest and conviction of possession, possession with intent to distribute, or distribution of an illegal drug;
- 7) Switching, adulterating, or conspiring to adulterate any sample submitted for substance testing;
- 8) Refusing to consent to testing or to submit a breath, saliva, urine, blood or other appropriate sample for testing when requested by authorized School Board officials, when pre-employment, safety sensitive, post accidental, or reasonable suspicion occurs;



- 9) Refusing to submit to an inspection of school property, school owned, contracted, or leased vehicles by authorized School Board officials;
- 10) Refusing to enter into and/or adhere to the requirements of any drug or alcohol treatment, counseling, or recovery program in which the employee is enrolled or required to participate by the School Board;
- 11) Failure to notify the EAP Coordinator of any arrest or conviction under any criminal drug statute or alcohol related arrest or conviction within five (5) days of the arrest or conviction;
- 12) Failure to report to the EAP Coordinator the use of prescribed drugs, which may alter the employee's behavior or physical or mental ability;
- 13) Failure to keep prescribed medicine in its original container;
- 14) Refusal, if requested, to sign a statement agreeing to abide by the School Board's Alcohol and Drug Abuse Policy;
- 15) Refusal, if requested, to sign an acknowledgment of the sensitive natures of the employee's job if employed in a safety sensitive position;
- 16) Refusal by an employee in a safety sensitive job or by a driver subject to testing to sign an acknowledgment that he/she will submit to random testing for alcohol or drugs as long as the employee remains in a safety sensitive job or remains a driver subject to testing;
- 17) Refusal to properly and fully complete medical questionnaires and consent forms as requested prior to testing;
- 18) Refusal to complete the toxicology chain of custody form after submission of a specimen.

#### **IX. DRUGS TO BE TESTED FOR**

Drug abuse is an evolving and ever changing situation and new designer drugs appear from time to time. To prevent this policy from being limited in scope, the APSB reserves the right to test for any controlled or illegal substance. Substances commonly tested for at the effective date of this policy include marijuana, opiates, cocaine, amphetamines, phencyclidine and alcohol. The samples required to be provided by the employee may include urine, saliva, breath, hair, blood or other scientifically acceptable source.

#### **X. ALCOHOL USE OR IMPAIRMENT IN THE WORKPLACE AND ALCOHOL TESTING**

The Ascension Parish School Board is committed to efforts to maintain a safe and productive working environment for all employees, as well as the safety of the general public, and of employees of customers and vendors doing business with the School Board. Employees with problems associated with alcohol may compromise the safety of the workplace as well as the general public. Each employee's assistance and full cooperation for the achievement of the

Ascension Parish School Board's overall goal of a drug-free workplace is vitally important and is expected and required as a condition of and consideration for continued employment.

Use of alcohol in the workplace, possession, concealment, transportation, gift, and/or promotion or sale of alcoholic beverages in the workplace is strictly prohibited. Use of alcohol on school or School Board premises/property during the working hours including lunch breaks and any other breaks during the scope of employment is strictly prohibited. Use of alcohol while driving school or School Board vehicles whether on or off-duty is strictly prohibited.

Any employee whose off-duty use or abuse of alcohol results in excessive absenteeism or tardiness or is the cause of or a contributing factor in accidents or poor work performance will be subject to disciplinary action up to and including discharge from employment.

Being under the influence of alcohol during the scope of employment (for example, on school or School Board premises, or school or School Board business, in school or School Board supplied vehicles, or during working hours, etc.) is strictly prohibited. Impairment or "being under the influence of alcohol" is defined as a blood alcohol content of 0.02g%. Presence of alcohol in one's body system is strictly prohibited during the scope of employment. Presence of alcohol is defined as any concentration of blood alcohol at the level of or above 0.02g%.

Whenever current School Board policy requires an employee to undergo a physical exam, that examination may include a saliva-screening test and/or blood confirmatory test for alcohol. An employee who tests positive at or above the level of 0.02g% for alcohol during such a physical exam will be in violation of this policy.

Pre-employment, post-accident, reasonable suspicion, rehabilitative, and random testing for alcohol will be performed in accordance with this policy.

A positive screening test for blood alcohol will necessitate the removal of the employee from duty pending the confirmatory test. As an example, an employee may screen positive for alcohol with a saliva sample test and then have a confirmation test done by an evidential breath testing device or have a blood sample tested.. Said employee shall be subject to possible disciplinary action or termination after the positive alcohol confirmation test.

Since the nature of the duties of the school bus driver is in itself of the utmost safety-sensitive, the Ascension Parish School Board reserves the right to require, at the sole discretion of the School Board, saliva screening tests for alcohol prior to or during performance of driving duties. Any positive screening test for presence of alcohol will be confirmed before any discipline is imposed upon the driver. The driver shall be removed from driving duties following a positive screening test and pending confirmation of the blood alcohol level at or above 0.02g%. Said driver shall be subject to possible disciplinary action or termination after confirmation of the blood alcohol.

As a condition of continued employment with the School Board, any employee involved in a reportable vehicle accident during the course and scope of this employment shall be tested for the presence of alcohol. The driver shall provide the specimen for alcohol testing immediately or as soon as possible after the accident. Any delay of time beyond justifiable circumstances in providing this sample for alcohol analysis shall be construed as an attempt to adulterate the alcohol level from the concentration at the time of the accident and shall warrant possible disciplinary action, up to and including termination.

Testing for alcohol can be done at the scene of the accident by an approved saliva alcohol test. Screening can also be done by evidential breath testing. If the screening test is positive, a confirmatory test should be administered as soon as possible after the screening test and ideally within fifteen minutes of the positive screening test. Devices used for testing (screening and confirmation) shall be those devices and methodologies approved by the United States Department of Transportation as outlined in the then current federal drug and alcohol testing regulations.

A driver who is seriously injured and cannot provide a specimen at the time of the accident shall provide the necessary authorization for obtaining hospital reports and other documents that would indicate whether there was any alcohol in his/her system.

## **XI. TYPES OF DRUG TESTING**

- 1) **PRE-EMPLOYMENT** - Any applicant for employment with the Ascension Parish School Board may be tested for illicit drug or alcohol use.
- 2) **POST-ACCIDENT** - As a condition of continued employment with the Ascension Parish School Board, any employee involved in an accident during the course and scope of his employment, shall be tested for the presence of drugs and alcohol. The accident must render physical harm to the employee or to others such that medical attention is required or monetary damage results in the amount of \$100 or greater to warrant testing for drugs and alcohol.
- 3) **REASONABLE SUSPICION TESTING** - A supervisor may reasonably suspect that an employee illegally uses drugs or abuses legal drugs or alcohol or violates this policy, based upon any or all of the following: observation of drug use; apparent drug intoxication; abnormal or erratic behavior; investigation, arrest, or conviction for drug-related offenses; reports from apparently reliable credible sources or evidence that the employee tampered with a previous drug test. Any employee may be required to undergo testing when such reasonable suspicions arise and a higher-level authority concurs with the supervisor's suspicions.
- 4) **RANDOM DRUG TESTING** - Random drug testing shall be limited to safety-sensitive and security-sensitive positions. Each workday should present each employee in a random testing program with a new opportunity of having to produce a sample, with the odds equal for all employees on each new day, regardless of samples previously produced by any of them.

Employees in safety-sensitive or security-sensitive positions shall include:

- a) Any employee or contracted person operating a public or contracted vehicle.
- b) One who transports children or employees in a vehicle.
- c) Any employee or contracted person using or operating tools, equipment, or machinery that may place that person or others in a dangerous situation.
- d) Any employee who may at any time during their described duties be required to perform duties that are safety-sensitive or security-sensitive.

- e) Any employee who may be required to handle drugs or weapons.
- 5) REHABILITATIVE - Employees found to be using drugs or alcohol in violation of this policy may be referred to an Employee Assistance Program, which may assess treatment progress with further drug or alcohol monitoring. Continued employment shall be contingent upon drug and alcohol abstinence to deter relapse. Monitoring for the presence of drug or alcohol use shall be frequent, unannounced, and with specimens collected under direct observation. Blood, saliva, hair, urine, or other appropriate specimen may be used as samples for monitoring drug or alcohol use.
- 6) VOLUNTARY TESTING - Some employees may wish to volunteer to participate in random drug tests even though they are not in sensitive positions requiring random testing. Such employees do not volunteer to provide samples at self-selected times, but to participate in random, unannounced urine collection.

## **XII. DRUG TESTING PROCEDURES**

All procedures used in drug testing programs, including collection, sealing and labeling of samples, chain of custody, storage and transport of specimens, handling of biohazardous wastes, drug testing, reporting of results, review of results, and confidentiality of drug testing, must be performed in accordance with Act 1036 of the 1990 Louisiana Legislature.

Collection of forensic urine specimens shall be collected with a rigorous chain of custody, security of the specimen, and with regard to the privacy of the individual. Handling and disposal of biohazardous waste shall be in accordance with proper safety procedures.

Direct observation of the employee during collection of the urine specimen is not allowed except under the following circumstances:

- 1) There is reason to believe that the individual may alter or substitute the specimen to be tested.
- 2) The individual has provided a urine specimen that falls outside the acceptable temperature range as listed in the NIDA or SAMHSA guidelines.
- 3) The last urine specimen provided by the individual was verified by the medical review officer as being adulterated or substituted based upon the determinations of the laboratory.
- 4) The collection site person observes conduct indicating an attempt to substitute or adulterate the sample.
- 5) The individual has previously been determined to have a urine specimen positive for one or more of the drugs, the testing of which is regulated by Act 1036, and is being tested for purposes of follow-up testing upon or after return to service.
- 6) The type of drug testing is post-accident or reasonable suspicion/cause.

All direct observation shall be conducted by a same gender collection site person. A designated representative of the Ascension Parish School Board shall review and concur in advance with any decision by the collection site person to obtain a specimen under direct observation.

Drug testing of employee specimens shall be performed in compliance with the NIDA/SAMHSA guidelines in a SAMHSA-certified or CAP-FUDT certified laboratory. The cut-off limits for drug testing shall be in accordance with SAMHSA guidelines.

All laboratory positive, adulterated, substituted, diluted, and invalid results of employee drug-testing shall be reviewed by the Medical Review Officer in accordance with Act 1036. Negative results will not be reviewed by the Medical Review Officer, but shall be reported directly from the laboratory to an EAP supervisor of the Ascension Parish School Board. An exception to this will be any employees falling under federal drug testing programs such as school bus drivers. In this case, all results, negative and positive, will first be reported to the Medical Review Officer and then the MRO will report the results to the appropriate school board representative. The confidentiality of such results shall be maintained.

The Ascension Parish School Board shall notify all applicants testing positive on the initial screening tests of pre-employment testing that the positive drug screen result may be confirmed and reviewed by a Medical Review Officer at the applicant's own expense. Any pre-employment applicant's testing positive on the initial testing without confirmation and review by the Medical Review Officer shall be removed from the list of available applicants for job positions. Any pre-employment applicants with confirmed positive test results followed by medical officer review shall be removed from the list of available applicants for job positions. Any pre-employment applicants with confirmed positive test results followed by medical officer review shall be removed from the list of available applicants for job positions.

### **XIII. CONSEQUENCES FOR VIOLATION OF POLICY**

Compliance with the Ascension Parish School Board's Policy on Alcohol and Drug-Free Workplace is a condition of employment. Persons applying for a position with the School Board must cooperate and failure or refusal to cooperate fully, sign any required document, submit to any inspection or test, or follow any prescribed course of assessment is grounds for non-employment.

The School Board may discipline or terminate any employee working in a safety sensitive job who violates the Alcohol and Drug-Free Workplace Policy.

Employees violating the section of this policy on "PROHIBITIONS" may receive severe disciplinary action, which could lead to termination. This applies to safety-sensitive as well as non-safety-sensitive employees.

Employees who violate this policy or who do test positive for drugs or alcohol following an accident will be referred to the EAP Coordinator. Based on assessment, an employee will be referred for counseling or treatment or may be terminated if existing School Board policy dictates or allows. Employees referred to an EAP Coordinator as a result of a positive test for alcohol and drugs must immediately cease any alcohol abuse or drug use, must submit themselves to periodic unannounced testing for a period of twenty-four (24) months, and must comply with all other conditions of assessment, counseling, or treatment. Employees who undergo counseling or

treatment for alcohol or drug abuse and continue to work must meet all standards of conduct established by the School Board as well as satisfactory job performance.

The Ascension Parish School Board will promptly discipline any employee who tests positive for alcohol or drug abuse while undergoing counseling or treatment.

Based upon documented established standards and job performance, the School Board may terminate any employee who violates this policy during treatment or during the twenty-four (24) month period following completion of the rehabilitation program(s).

#### **XIV. REHABILITATION POLICY**

In accordance with Act 1036 of the 1990 Louisiana Legislature, any employee, confirmed positive, upon his written request, shall have the right of access within seven (7) working days to records relating to his/her drug tests and any records relating to the suspension/revocation-of-certification proceedings.

The Ascension Parish School Board shall afford the opportunity to undergo rehabilitation without termination of employment to any employee whose random drug tests are certified positive by the medical review officer. An employee who refuses to or does not undergo rehabilitation or does not comply satisfactorily with the referred treatment program may be terminated. Any employee who returns to service following rehabilitation may be monitored by follow-up drug testing upon his return to service and for not longer than sixty (60) months following return to work. A second positive drug test shall result in termination.

During the after-care monitoring, it is the option of the Ascension Parish School Board as to whether to reassign employees in security-sensitive or safety-sensitive positions to alternate duties during this period of after-care monitoring. Employees who successfully undergo counseling or treatment may be asked to sign a Recovery Agreement if deemed appropriate by the Ascension Parish School Board.

#### **XV. CONFIDENTIALITY**

The Ascension Parish School Board will be sensitive to the needs of all employees' confidentiality and will implement the following guidelines:

- 1) Documents relating to substance abuse placed in employees' personnel files shall be confidential.
- 2) Documents will be filed under lock and key in the employees' personnel files.
- 3) The Superintendent/designee shall be responsible to maintain the confidentiality of all information in connection with the administration of the Substance Abuse Program.
- 4) At all times the employees' confidentiality shall be protected. Employees shall be assigned individual lab numbers and all correspondence to the lab shall be done through this number.
- 5) In the actual taking of samples, the process is to be conducted in accordance with prudent procedures to insure that the degree of bodily invasion is minimal.

- 6) Referrals made on the basis of an impairment shall be kept confidential unless they place the safety of other adults and/or children in jeopardy or have a statutory requirement for mandatory reporting.
- 7) All testing records and results shall be confidential, except to the extent necessary to conduct disciplinary proceedings or to comply with state reporting statutes.
- 8) All disciplinary proceedings conducted pursuant to this program will be conducted in strict accordance with applicable Louisiana laws regarding teachers and school bus drivers and/or the School Board Policy Manual, whichever may be applicable under the circumstances. In the event of a question as to the procedure to be followed, the Louisiana Administration Procedure Act shall apply.
- 9) To develop and implement a uniform written system for the maintenance and use of records and access to personnel files by authorized persons.
- 10) To provide for the establishment of procedures for immediate notification to employees of the filing of any documents into their personnel file.
- 11) Only positive results shall be communicated to employees.

## **XVI. POLICY FOR CONTRACTORS AND SUBCONTRACTORS**

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

## **XVII. EMPLOYER RESERVATION OF RIGHTS**

The Ascension Parish School Board reserves the right to amend, interpret, change, rescind, or depart from this written policy in whole or in part. The employee shall be notified in writing of any such changes. Nothing in this policy alters an employee's status.

## **XX. SUBSTANCE ABUSE TESTING FOR HOLDERS OF COMMERCIAL DRIVERS LICENSES - ASCENSION PARISH SCHOOL BOARD POLICY GAMEB**

### INTRODUCTION

The Ascension Parish School Board has a strong commitment to provide a safe workplace and to establish policies promoting high standards of employee health and safety. In keeping with this commitment, it is Ascension Parish School Board's intent to maintain a drug/alcohol-free workplace and a drug/alcohol-free workforce.

### Section 1. Applicability

This policy provides for compliance with the Omnibus Transportation Employee Testing Act of 1991 and Federal Motor Carrier Safety Regulations and future amendments.

This policy applies to all employees of the Ascension Parish School Board who are required to obtain and maintain a commercial driver's license (CDL) in order to operate an owned or leased vehicle of the Ascension Parish School Board to perform their job duties. The testing

requirements apply to driver-applicants, driver-employees, and contract- or leased- drivers. A driver is covered if, at any point during the year, the driver operates a vehicle for which the operator must have a commercial driver's license when operating the vehicle, such as a school bus. Testing provided for by this policy will be effective January 1, 1995.

## Section 2. Definitions

- a. Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- b. Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
- c. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
- d. Covered vehicle means a motor vehicle to include any school bus and other vehicles, as defined by law and 49 C.F.R. 382.107 as amended, the operation of which requires a driver with a commercial driver's license (CDL).
- e. Controlled substance is any drug that falls within the guidelines of the Omnibus Transportation Employee Testing Act of 1991 and including any amendments thereto. It includes Marijuana (THC), cocaine, opiates, amphetamines, and phencyclidine (PCP).
- f. Confirmation test for alcohol testing means a second test, following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration. For controlled substances testing a confirmation test means a second drug analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principal from that of the screen test in order to insure reliability and accuracy.
- g. Screening Test (also known as Initial Test) in alcohol testing, it means an analytical procedure (Breath Alcohol Test) to determine whether a driver may have a prohibited concentration of alcohol in his or her system. In controlled substance testing, it means an immunoassay screen to eliminate "negative" urine specimens from further consideration.

## Section 3. Alcohol Use and Possession Prohibited.

No driver shall report for duty or remain on duty to operate a school bus or other covered vehicle while having an alcohol concentration of 0.04 or greater. No driver shall be on duty or operate a school bus or other covered commercial motor vehicle while the driver possesses alcohol. No driver shall operate a school bus or other covered vehicle within four hours after using alcohol. No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first. Any violation of this policy shall result in immediate suspension of the employee and termination of the employee.

## Section 4. Controlled Substance Use Prohibited



No driver shall report for duty or remain on duty when the driver uses a controlled substance. The driver shall not consume any controlled substances while off duty or on duty. The driver shall not operate a vehicle while under the influence of any controlled substance. Any violation of this policy shall result in immediate suspension of the employee and termination of the employee.

#### Section 5. Refusal to Submit to a Required Alcohol or Controlled Substance Test

Any driver who fails or refuses to submit to a post-accident alcohol or controlled substance test required under this policy, a random alcohol or controlled substance test when required, a reasonable suspicion of alcohol or controlled substance test, or a follow-up alcohol or controlled substance test shall be immediately suspended and shall be terminated.

#### Section 6. Impairment Prohibited.

No driver will report for work or will drive while under the influence or impaired because of any drug or controlled substance. A driver may use a substance administered by or under the instruction of a physician who has advised the driver that the substance will not affect the driver's ability to safely operate a motor vehicle. The driver must furnish written evidence of the doctor's prescription to his/her supervisor prior to operating any covered vehicle. Any violation of the policy shall result in immediate suspension of the driver and termination.

#### Section 7. Possession Prohibited.

No driver at any work site shall possess any controlled substance, lawful or unlawful, with the exception of substances administered by or under the instructions of a physician. "Work site" means any motor vehicle, office, building, yard, or other property operated by the Ascension Parish School Board, or any other location at which the driver is to perform Ascension Parish School Board work. "Possess" means to have either in or on the driver's person, personal effects, motor vehicle, or areas substantially entrusted to the driver's control. Any violation of this policy shall result in immediate suspension of the driver and termination.

#### Section 8. Controlled Substance Test Results.

No driver shall report for duty, remain on duty or drive a vehicle if the driver tests positive for any controlled substance. The driver will be suspended and terminated.

#### Section 9. Tests Required.

For purposes of assuring compliance with the Federal Motor Carrier Safety regulations and future amendments and this policy, employee-drivers and new applicants for positions as drivers will be subject to alcohol and drug screening. "Screening" means testing of breath and/or of urine to determine use or impairment.

- a. **Pre-Employment Testing.** Prior to being employed in a driving position, all applicants shall be tested for alcohol and controlled substances which complies with the requirements of 49 C.F.R. 382.301, and as hereafter amended. Such testing shall be at the expense of the prospective employee. Refusal to submit to testing shall result in rejection of prospective employees' application and employment.

- b. **Post-Accident Testing.** After any accident involving a covered vehicle, each surviving driver shall be tested for alcohol and controlled substances if 1) a loss of human life occurs; 2) when the driver/employee receives a citation for a moving violation from the police officer handling the accident even if no fatality occurs and one or both of the following occurs: a) an individual involved in the accident must be treated away from the scene for an injury received in the accident, or; b) a vehicle is required to be towed from the scene. Alcohol tests should be administered within two (2) hours following the accident but not more than eight (8) hours following the accident. A controlled substance test is required to be administered within thirty-two (32) hours following the accident. A driver who is subject to post-accident testing shall remain readily available for such testing or will be deemed to have refused to submit to testing. Failure or refusal to submit to testing will result in immediate suspension and termination.
  
- c. **Random Testing.** The minimum annual percentage rate for random testing shall be 25% of the average number of driver positions. The minimum annual percentage rate for random controlled substance testing shall be 50% of the average number of driver positions. The selection of drivers for the random alcohol and controlled substance testing shall be made utilizing a random numbered table of a computer based random number generator that is matched with drivers' social security numbers. The procedures for the random testing will be conducted in accordance with 49 C.F.R. 382.305 and as hereafter amended.
  
- d. **Reasonable Suspicion Testing.** A driver shall submit to testing when a supervisor or other supervisory personnel, who is trained in accordance with 49 C.F.R. 382.603 and as amended, as based upon the required observations for alcohol and/or controlled substances, has formed reasonable suspicion to conduct an alcohol test or a controlled substance test. The observations and tests shall be conducted in accordance with the provisions of 49 C.F.R. 382.307 and as hereafter amended.
  
- e. **Return to Duty Testing.** Prior to returning to duty, any employee whose duties require a commercial drivers license who has previously tested positive for an alcohol or a drug test must be tested for alcohol and drugs.
  - i) If an employee has been removed from his/her duties for alcohol misuse, he/she must indicate no more than .02g% BAC on the return-to-duty alcohol test before he can resume his duties.
  
  - ii) If an employee has been removed from his/her duties for a positive drug test, he must undergo a return-to-duty drug test and obtain a verified negative result.
  
  - iii) Besides the return-to-duty test, the driver must also be evaluated by a substance abuse professional and participate in any assistance program prescribed.
  
  - iv) An employee must perform any other requirements designated by the School Board, the School Superintendent or the Director of Personnel.
  
- f. **Follow-up Testing.** If determined that a driver is in need of special assistance in

resolving problems associated with alcohol misuse and/or use of controlled substances, such driver is subject to unannounced follow-up and/or controlled substance testing as directed by a substance abuse professional in accordance with the provisions of 49 C.F.R. 382.311 and as hereafter amended.

- g. **Other Alcohol-Related Conduct.** If a driver is tested as provided in this Section and found to have an alcohol concentration of 0.02 or greater but less than 0.04, such driver shall be prohibited from returning to duty and operating any covered motor vehicle until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.
- h. All procedures for any testing shall conform to the requirements of 49 C.F.R. 40.1 et seq. as amended.

#### Section 10. Test Results.

All test results shall be reviewed by the Medical Review Officer (MRO) to determine whether there is an indication of controlled substance or alcohol use. The results are confidential. The Ascension Parish School Board's Medical Review Officer will be the sole custodian of the individual test results. They will not be released to any additional parties without the tested employee's written authorization. The Medical Review Officer will advise the Ascension Parish School Board's Director of Transportation or any other designated employee. All test results and record retention will be in accordance with 49 C.F.R. 382.401-413, and 49 C.F.R. 40.1 et seq. and as hereafter amended.

#### Section 11. Evaluation and Rehabilitation.

Whenever a driver is found to have alcohol concentration greater than 0.04 or a controlled substance testing with positive urine specimens, the driver shall be suspended and shall be terminated. If an employee provides a legal prescription from a doctor the employee will be eligible to return to work. If the employee does not have a legal prescription, then the employee will be terminated.

NO EMPLOYEE'S JOB WILL BE PLACED IN JEOPARDY NOR WILL ANY EMPLOYEE BE SUBJECT TO DISCIPLINARY ACTION FOR VOLUNTARY REQUESTING ASSISTANCE FROM ALCOHOL AND OTHER DRUG ADDICTIONS.

However, a request for assistance immediately prior to or while on an actual drug screen, blood sampling, search or inspection is being made in the work area or after the urine drug screen or sampling has been completed will not excuse an employee from a Policy violation.

#### Section 12. Applicable Regulations.

The Director of Transportation, all supervisors, all testing providers, laboratories, and the medical officers shall comply with the requirements of the Federal Motor Carrier Safety regulations as existing and hereafter amended, including but not limited to 49 C.F.R. 382.101-605 and 40 C.F.R. 40.1-40.83.

#### Section 13. Contact Persons.

Any employees may contact the Director of the Department of Transportation for information concerning this policy and for any educational materials concerning alcohol misuse and controlled substance use. The Director of the Department of Transportation shall obtain and provide information as to substance abuse professionals available in the community. The Director of the Department of Human Resources shall provide for any required training of supervisors required by this policy or in accordance with the applicable federal regulations.

Section 14. Certificate of Receipt.

The Director of the Department of Transportation shall distribute a copy of this policy to each driver and to each driver-applicant. Each driver is required to sign a statement certifying that he or she has received a copy of this policy. The Director of the Department of Human Resources shall maintain the original of the signed certificate in the employee's personnel file and may provide a copy of the certificate to the driver.

**XVIII. PRESERVATION OF EMPLOYEE RIGHTS TO PRIVACY,  
CONFIDENTIALITY, AND SANITARY CONDITIONS**

The Ascension Parish School Board shall respect employee privacy in administering drug testing programs as is practicable and in compliance with applicable regulations. Direct observation shall be mandated only in accordance with the regulations in Louisiana Act 1036 of the 1990 Louisiana Legislature. Collection procedures shall be conducted so as to allow for sanitary conditions and the proper handling of biohazardous waste.

**XIX. CONDITION OF CONTINUATION OF EMPLOYMENT**

Compliance with the Ascension Parish School Board's current or amended substance abuse policy is a condition of continuation of employment. Failure or refusal of an employee to cooperate fully, sign any required document, submit to any inspection or test, or follow any prescribed course of substance abuse treatment will be grounds for discipline, up to and including termination. Violation of any part of this policy will be grounds for termination.

**XX. CONSEQUENCES OF REFUSAL TO SUBMIT TO TESTING BY EMPLOYEE**

Any employee refusing to consent to testing or to submit a saliva, urine, or blood sample for testing when requested by management shall be subject to disciplinary action, up to and including termination of employment. Attempted or actual substitution or adulteration of samples shall be equivalent to refusal to submit to testing or equivalent to a positive drug test.

**XXI. VOLUNTARY DRUG TESTING OF STUDENTS**

Voluntary drug testing of students shall be conducted in accordance with Louisiana Act 1036 of the 1990 Louisiana Legislative Session.

## **XXI. SEXUAL HARASSMENT POLICY (See Policy GAEAA)**

### **Prohibition of Sexual Harassment Policy GAEAA**

#### **Policy and Procedures**

##### **I. Policy**

- A. It is the policy of the Ascension Parish Public School System to provide a learning and working atmosphere for students, employees, and visitors free from sexual harassment.
- B. It is a violation of this policy for any administrator, teacher, other employee, visitor, agent, contractor or any student to engage in or condone sexual harassment.
- C. It is the responsibility of every employee to recognize acts of sexual harassment and take every action necessary to ensure that the applicable policies and procedures of this school system are implemented.
- D. Any employee or student who believes that he or she has been subjected to sexual harassment has the right to file a complaint and to receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and protect the privacy of all parties.
- E. The complaint manager shall be responsible for assisting employees and students seeking guidance or support in address matters relating to sexual harassment or inappropriate behavior of a sexual nature.

##### **II. Procedures**

###### **A. Definitions**

1. **Sexual harassment** means unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written or physical conduct of a sexual nature by an employee to a co-employee, an employee to a student, a student to another student, a student to an employee, a school board member to an employee or student, or a non-employee engaged in business or volunteer work with the school system to an employee or student that takes place under any of the following circumstances:

- a. When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction or participation in school activities or programs;
  - b. When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personal or academic decisions affecting the individual subjected to sexual advances;
  - c. When such conduct has the effect of unreasonably interfering with the individual's work; or
  - d. When such conduct has the effect of creating an intimidating, hostile or offensive work or learning environment.
2. Examples of behavior, which may constitute sexual harassment, include, but are not limited to:
- a. Unwelcome staring, leering, sexual flirtations, or propositions;
  - b. Unwelcome spreading of sexual rumors;

- c. Unwelcome sexual jokes, stories, pictures, or gestures;
- d. Unwelcome touching of another's body or clothes in a sexual way;
- e. Unwelcome teasing or sexual remarks about a student;
- f. Conditioning academic or student activity privileges on submission to unwanted sexual conduct from students or staff;
- g. Blocking or cornering of a sexual nature of normal movements;
- h. Unwelcome graphic verbal comments about an individual's body, or overly personal conversation; or
- i. Displaying sexually suggestive objects in the work or educational environment.

Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

- 3. **Complaint Manager** means the person, or persons, who is (are) responsible for investigation of any complaints alleging noncompliance with this policy. The **Complaint Manager** shall be the principal or the immediate supervisor of the complaining party. The name, office, address and telephone number of said person shall be posted in every facility and printed in every student and employee handbook.

B. Publication of Policy

- 1. Each student shall receive a copy of this policy at the beginning of each year and at the time of transfer into the Ascension Parish School system. This policy will be included in each individual school's **STUDENT AND EMPLOYEE HANDBOOK**.

C. Complaint Procedures

- 1. Filing an Informal Complaint
  - a. Any employee or student who believes that he or she has been subjected to sexual harassment has the right to file a complaint with an immediate supervisor, the Complaint Manager, the principal, a guidance counselor, or a teacher. If the original complaint is oral, the complaining party shall be asked to put the complaint in writing. If a complaint is made to someone other than a principal, the principal must be notified immediately. A written informal complaint shall include the following:
    - 1) the name of the complaining party;
    - 2) the name of the offender;
    - 3) the date of the offense;
    - 4) the location of the offense;
    - 5) a description in as much detail as possible of the incident(s), including any statements made by either party;
    - 6) and a list of all known witnesses.
  - b. No person, witness, or person who participates or cooperates with an investigation shall be subjected to retaliation of any kind.
- 2. Fact-Gathering Informal Interview

- a. All administrators and employee designees shall be trained to handle sexual harassment complaints, to know what constitutes sexual harassment, the importance of taking such complaints seriously, and the procedures involved.
  - b. All site administrators/principals shall designate sufficient personnel in order that at least one (1) male and one (1) female staff member is available at all times to handle sexual harassment complaints.
  - c. Complaints filed pursuant to this policy shall be promptly and thoroughly investigated by the Complaint Manager or an individual assigned by the Complaint Manager.
  - d. Complainants shall have a choice in selecting a designee of the same or opposite gender.
  - e. All circumstances of the situation shall be considered in the investigation of possible harassment incidents. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the totality of the circumstances, including the context in which the alleged incident occurred.
  - f. All interviews may be tape recorded with permission.
  - g. Upon completion of the investigation, the Complaint Manager shall prepare a report including the following:
    - 1) the date(s);
    - 2) the name of the complainant;
    - 3) the name of the offender(s)
    - 4) a summary of the factual allegations that allege sexual harassment;
    - 5) the name of all potential witnesses;
    - 6) a summary of the steps taken to complete the investigation;
    - 7) a summary of all witness statements (with copies of actual statements attached);
    - 8) a listing of any physical evidence available;
    - 9) a factual summary of all the evidence that either supports or refutes the allegations of sexual harassment.
  - h. The investigation shall be completed within twenty (20) working days after the complaint is filed. The Complaint Manager must complete the Informal Proceedings Decision Form.
  - i. The Complainant shall have fifteen (15) days to file a formal complaint to the Ascension Parish Title IX Coordinator or other designee through the Complaint Manager.
3. Filing a Formal Complaint
- a. A formal complaint must be filed within fifteen (15) days to the Ascension Parish Title IX Coordinator or designee. A Complaint Review Committee shall be identified to begin formal proceedings.
  - b. The Complaint Review Committee shall consist of at least three persons identified from the following employee classifications:
    - 1) Title IX Coordinator or designee

2) Director(s) and/or Supervisor(s) at the central office level.

3) Male and female committee member(s)

4. Hearings

a. All accused employees and/or students

- 1) shall be notified, in writing, at least ten (10) days before the hearing with allegations included;
- 2) shall be allowed to attend the hearing and testify in his or her own behalf;
- 3) shall be entitled to confront or cross-examine the complaining party and other witnesses who are called;
- 4) shall be entitled to call witnesses in his or her own behalf; and
- 5) be allowed to introduce evidence, which is relevant to the issues presented, by the complainant and the investigative report.

5. Written Decisions

a. Within ten (10) working days of the hearing, the Complaint Review Committee shall issue a decision that:

- 1) Includes a finding of facts and conclusions explaining how those facts establish a violation of the sexual harassment policy or not; and
- 2) Recommend sanctions.

6. Appeals

a. Appeals may be made to the superintendent within fifteen (15) days after receipt of the written decision of the Complaint Review Committee or to the School Board Committee if the superintendent was involved in the incident.

b. In accordance with Ascension School Board Policy a final appeal by the Complainant may be made within fifteen (15) days to the Ascension Parish School Board for review of the superintendent's decision.

D. Sanctions

1. All students who violate this policy shall be subject to the following sanctions dependent on the severity on a case-by-case basis:

a. Immediate notification of parents of the complainant and the accused

- b. Parent conference
- c. Warning, counseling and reprimand
- d. Time-Out
- e. Suspension
- f. Expulsion

2. All employees and others who violate this policy shall be subject to the following sanctions:

- a. Warning, counseling, and reprimand
- b. Suspension with or without compensation
- c. Termination
- d. Banned from school campus and/or school-related events



All others can be subject to criminal prosecution. Violators to this policy will be prosecuted to the maximum penalty and can also be banned from the school campus and/or school-related events.

E. Monitoring

1. On an annual basis a random sampling of students and employees shall be interviewed to determine if students and employees are being properly informed of the sexual harassment policy and whether there are unreported incidents of sexual harassment.
2. Within three months after a complaint is resolved, the complainant shall be interviewed to determine if any additional incidents have occurred and the complainant's general satisfaction with the process involved. A written report will be completed by the Complaint Manager following this interview.
3. The superintendent shall report quarterly to the Ascension Parish School Board providing qualitative information relative to the number of complaints, number of investigations, results of investigations, results of hearings, training efforts and policy publication efforts.
4. This policy shall be reviewed every year in accordance with the Ascension Parish School Board's policy review process.