

Ascension Parish School Board

Employee Handbook

Donald A. Songy
Superintendent

Prepared by the
Human Resources Department

Revised July 1, 2009

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 each school board office site and on our website at 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 including 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 can review the School Board's complete policies found in the main office of each school, 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.

Table of Contents

I. Employment of Personnel	3
II. Criminal History of Applicants	3
III. Human Resources Department.....	3
IV. Personnel Records.....	4
V. Payroll.....	4
A. Paychecks	4
B. Direct Deposit	4
C. Mandatory Deductions.....	4
D. Voluntary Deductions	4
E. Credit for Experience and Advanced Degrees	5
F. Compensatory Time.....	5
VI. Hospitalization Insurance	5
VII. Employee Absences	6
A. Reporting Absences	6
B. Sick / Emergencies.....	6
C. Bereavement	7
D. Extended Sick Leave.....	7
E. Personal Leave	8
F. Annual Leave (Vacation).....	8
G. Professional Leave	8
H. Sabbatical Medical Leave	8
I. Sabbatical Professional Leave	9
J. Military Leave.....	9
K. Family Medical Leave	9
L. Leave Without Pay.....	10
M. Jury Duty	10
VIII. Termination of Employment	11
A. Retirement.....	11
B. Resignation	11
C. Dismissal.....	11
IX. Available Positions	11
X. Transfer Policy (Voluntary and Involuntary Policies).....	11
XI. Worker’s Compensation.....	12
XII. Complaints and Grievances.....	12
XIII. Employee Indemnification	13
XIV. Act 1252 – Educator’s Right to Teach	13
XV. Electronic Mail and Internet Policy.....	14
XVI. Employee Drug and Alcohol Policy.....	16
XVII. Employee Assistance Program (EAP)	18
XVIII. Sexual Harassment Policy.....	27

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; (d) application to the appropriate retirement system *even if s/he was a member in another school system*; (e) enrollment in a hospitalization program, or a signed waiver of this benefit; and (f) W-4 and L-4 tax withholding forms. Initial employment is always contingent upon satisfactory reports from the criminal background check and drug screening, as well as formal approval by a vote of the Ascension Parish School Board 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.

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 the applicant by the School Board or may be obtained from local police authorities. It shall be the responsibility of the applicant to have his/her fingerprints taken by a qualified individual and submitted to the proper authorities for processing. Any cost associated with fingerprinting or the disclosure of background information on an applicant may be passed on to the applicant.

(1) 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 if such employee is convicted of or pleads nolo contendere to enumerated crimes may be dismissed.

(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. Note: please use the Certification Change form found at www.teachlouisiana.com.
- Teacher Tuition Exemption forms. These forms may be obtained from the School Board website (www.apsb.org) and must be signed by your principal. Completed forms must be received in the School Board Human Resources Department no later than these deadline dates:

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

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.

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

V. PAYROLL

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

- ◆ Hospitalization Insurance
- ◆ Other 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

Personnel who are eligible for overtime compensation will be allowed to bank overtime as compensatory (comp) time for the time worked in excess of 40 hours per week. Worked hours refers to actual hours worked during the workweek, excluding vacation, holiday, and sick leave. Time not worked, whether or not it is paid off, does not count toward the forty (40) hour threshold used to calculate overtime pay. The workweek starts at 12:00 midnight on Saturday and ends at 12:00 midnight on the following Saturday.

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. HOSPITALIZATION INSURANCE (see Policy EGA)

Health Insurance may be elected by full-time employees through United Healthcare. 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. New employees may elect one of the options with no pre-existing conditions, provided they do so within 30 days of initial employment. 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 Human Resources 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 21 unless in school full time.)

Insurances Offered to Employees:

United Healthcare – 1-866-633-2479
www.myuhc.com

Ameritas (Dental): 1-800-659-2223
www.ameritasgroup.com

EyeMed Vision: 1-866-939-3633
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

Life Insurance:
 The Standard – 1-800-628-8600

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

School Board Office Contacts:

Nila D. Williams
 nila.williams@apsb.org
 225-391-7108

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 call the Substitute Employee Management System (SEMS) for all absences. 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. 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, upon initial employment, 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:

	9-, 9.5-, 10 <u>month employees</u>	12 month <u>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

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. However, a letter may be requested at anytime.

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.

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

D. 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 personal illness or illness in his/her immediate family (for the purposes of this type of extended leave, immediate family is defined as spouse, child, or parent) shall be granted up to 90 days of extended sick leave in a six-year period. The original application for extended sick leave, accompanied by a statement from a licensed physician certifying the need for the leave, must be submitted to the payroll 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. 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.

E. 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; 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.

F. 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:

Years of Service	Annual Leave Granted (In days)	Monthly Accrual Rate (In days)
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.

G. 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.

H. Sabbatical Medical Leave (see Policy GBRHA). All teaching personnel shall be granted sabbatical medical leave at the discretion of the School Board. 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.

I. 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.

J. 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 .

K. Family and Medical Leave (see Policy GBRIBA). The 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. This leave shall be unpaid, but may run concurrent with annual sick leave, vacation, and extended sick leave. 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 work.

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 2 or 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. Leave forms can be found at www.apsb.org/leave.

The employee shall be permitted to substitute any accumulated sick leave and/or annual leave for any family and medical leave time requested. The Board may require an employee to first use any accumulated sick, personal and/or annual leave time for any part of the twelve (12) week period. If paid leave is used by an employee, the Board shall provide only enough unpaid family and medical leave time to total the allowed 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.

L. 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.

M. 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.

VIII. TERMINATION OF EMPLOYMENT

A. Retirement (see Policy GBQ). 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.

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.

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.

IX. AVAILABLE POSITIONS

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

X. TRANSFER POLICY (see Policy GBM)

A. Voluntary Transfers. Teachers requesting a transfer to another school for the upcoming year should submit a Request for Transfer form to the Superintendent by May 1. Non-teaching employees may request a transfer whenever a position becomes vacant. Transfer requests will not be considered until an employee has worked at least three years at a school. All transfer requests will be made available to the principals. If a transfer is recommended by the receiving principal and approved by the Superintendent, it will become effective. Should a person request reassignment to a lesser position, she/he shall, upon reassignment, be placed in the salary schedule on the same step as previously assigned.

B. Involuntary Transfers. The School Board may transfer any teacher or other employee, upon the recommendation of the Superintendent, for any succeeding scholastic year, from one position, school, or

grade to another by giving written notice to the teacher or employee of such intention to transfer. All personnel involuntarily reassigned to a lesser position than previously held shall have their salary unchanged. Such personnel shall be placed in the salary schedule appropriate to the new position and there shall be no increase in salary until the salary in that schedule is at least equal to their present salary.

XI. WORKER'S COMPENSATION (see Policy EGAA)

The School Board provides Worker's Compensation for all employees. In the event that an employee is injured on the job, s/he shall report the injury to his/her immediate supervisor. The supervisor shall prepare a report of the accident and submit it to the School Board Office. Accident reports are not to be completed by the injured employee. All on-the-job accidents are to be reported, even if the employee does not file a claim for Worker's Compensation.

Employees injured on the job and certified for worker's compensation benefits will receive worker's compensation benefits equal to 2/3 of their regular monthly salary up to \$546 per week, prescription drugs, and medical care for their injury. Worker's compensation benefits are not taxable. Worker's compensation benefits checks are to be remitted to the School Board Payroll Department in order that a payroll check can be prepared that will include the worker's compensation benefits. This is done so that the benefits can be included in the employee's retirement contributions.

When an employee is certified for benefits, the first five (5) days that s/he receives benefits are charged to the employee's accumulated leave. Subsequent days absent are charged at 1/3 of a day's leave for each day out. Once an employee has exhausted his/her leave, the only amount that she/he is entitled to is the amount received from worker's compensation. The employee may choose to pay retirement on the amount received from worker's compensation or on his/her regular monthly salary.

An employee who has been absent in a Worker's Compensation situation must present certification from a physician that the employee is released to return to work. Reasonable accommodations will be made in accordance with the Americans with Disabilities Act.

Employees that receive worker's compensation benefits, and have exhausted all sick and vacation leave, are considered to be on leave without pay. 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. Employees that are receiving workers compensation are considered to be on leave without pay.

XII. 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.

XIII. 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.

XIV. ACT 1252 – EDUCATOR’S RIGHT TO TEACH

Act 1252 of the Regular Session of 2003 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

XV. 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.

XVI. EMPLOYEE DRUG AND ALCOHOL POLICY

ASCENSION PARISH SCHOOL BOARD - POLICY GBRAA 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 are 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.

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.

XVII. SEXUAL HARASSMENT POLICY

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.