

PROCEEDINGS OF THE TERREBONNE PARISH SCHOOL BOARD

November 20, 2012

The Terrebonne Parish School Board met today at 7:00 P.M. in regular session at its regular meeting place, the Terrebonne Parish School Board Office, 201 Stadium Drive, Houma, Louisiana, with Mr. L. P. Bordelon, III, President, presiding, and the following members present: Mr. Roger Dale DeHart, Vice-President; Mr. Roosevelt Thomas, Mr. Gregory Harding, Mr. Donald Duplantis, and Mr. Hayes J. Badeaux.

ABSENT: Mr. Richard Jackson, Ms. Debi Benoit, and Dr. Brenda Leroux Babin

Mr. Thomas led the Board and audience in the opening prayer and Pledge of Allegiance to the Flag.

The following Education and Policy Committee report was presented to the Board with Mr. Duplantis, Committee Member, presiding:

Dear Members of the Board:

The EDUCATION and POLICY COMMITTEE met in the Board Room of the School Board Office, 201 Stadium Drive, at 5:00 P.M., on Monday, November 5, 2012, with the following members present: Mr. Richard Jackson, Chairman, and Mr. Donald Duplantis. Dr. Brenda Leroux Babin, Vice-Chairman, entered the meeting at 5:10 P.M. Also in attendance were Superintendent Philip Martin and members of the staff.

Mr. Jackson called the meeting to order. The meeting began with the invocation and Pledge of Allegiance to the Flag.

Mrs. Debi Benoit entered the meeting at this time. The Committee deviated from the regular order of the agenda to allow Mrs. Benoit time to prepare her topic for discussion.

Superintendent Martin summarized the rankings of the Terrebonne Parish School System, relative to the 2011-2012 District Performance Scores (attachment).

Superintendent Martin presented revisions, according to recent legislation, to policy FILE: A-4 Powers and Duties.

RECOMMENDATION NO. 1

The Committee recommends that the Board approve, as presented, the following revisions to policy FILE: A-4 Powers and Duties:

**FILE: A-4
Cf: B-13**

POWERS AND DUTIES

The Terrebonne Parish School Board is vested with the responsibility and authority to establish policies for the administration and management of the schools in the school district. **Any policy not specifically spelled out in the School Board's Policy Manual remains the prerogative of the Board.** The Board shall act as a legislative body in the determination of policies for the control, operation, maintenance and improvement of the school system in keeping

with the needs of the communities of the parish and applicable state laws. On certain occasions the Board shall also serve as a judicial body to hear complaints and appeals of administrative decisions for employees, publics and/or patrons.

The School Board, through the operation of the public schools, shall make every effort, within the limitations imposed by staff, physical plant, and finances to provide an educational program designed to meet the individual needs of children according to their ages, mental abilities, and vocational or professional interests.

The Board shall be responsible for carrying out all mandatory laws pertaining to education and shall consider, accept, or reject provisions of permissive legislation where discretion is so authorized. In all cases where constitutional mandates, federal and/or state statutes, judicial precedents or regulations of duly recognized governmental agencies do not otherwise provide or prohibit, the Board shall consider itself the agent responsible for establishing and appraising the educational activities of the school district.

The members of the Terrebonne Parish School Board shall have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board Member except when such statement or action is in pursuance of specific instructions from the Board.

No Board Member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the schools or as an individual command the services of any school employee.

GENERAL DUTIES

Three (3) functional areas of responsibilities are recognized with respect to the Terrebonne Parish School Board's administration of public education within the Parish.

1. Policy Making

Planning is basic to all activity. Policy making is that function which determines what shall be done, establishes procedure for accomplishing the tasks, selects an executive officer and delegates to him/her the placing of plans and policies into operation, and provides the financial means for their achievement.

2. Legislative

The legislative function is that function which is concerned with placing into operation the plans and policies, keeping the Board informed and furnishing creative leadership to the Board and to the profession.

3. Appraisal

Appraisal is that function which attempts, through careful examination of facts and conditions, to determine the following:

- a. The efficiency of operation of the general activities.
- b. The worth and value of results of the activities in relation to the efficiency and value of instruction.

SPECIFIC DUTIES

The specific duties of the School Board shall include, but not be limited to, the following:

1. To select the person to serve as the chief executive officer and Superintendent of the school district and support such person in the discharge of his/her duties;
2. To establish, approve and evaluate policies relating to the operation of the public schools;
3. To adopt a calendar of school events for each ensuing year, which shall be distributed to the teachers and others as deemed necessary;
4. To adopt the annual budget, consider and approve payrolls, and approve expenditures of funds as recommended by the Superintendent;
5. To consider reports of transacted business and its relation to the financial status of the system;
6. ~~To approve all school district personnel appointment procedures;~~ **To adopt policies for the direction of the school district that are in the best interests of all students;**
7. **To delegate to the Superintendent hiring and placement functions of personnel;**
8. To determine salary schedules and ~~other personnel policies~~ **for all employees;**
9. To consider reports of the Superintendent on the progress of the schools and advise him/her on recommended changes in the educational program;
10. To adopt plans for structural improvements and determine the means to finance them; and
11. To inform the citizens of the parish and the Legislature of the needs of the schools.

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§~~17:20, 17:51, 17:64, 17:81, 17:84, 17:85, 17:88, 17:95, 17:97, 17:101 et seq.,~~ **17:102, 17:103, 17:104, 17:104.1, 17:105, 17:105.1, 17:106, 17:108, 17:109, 17:111, 17:112, 17:158,** 17:221, 17:441 ~~et seq.,~~ **17:442, 17:443, 17:444,** ~~17:158, 17:1171 et seq., 17:1373, 38:2211, 38:2212,~~ **38:2212.1.**

Superintendent Martin presented revisions, according to recent legislation, to policy FILE: B-13 **School Board** Policy Development.

RECOMMENDATION NO. 2

The Committee recommends that the Board approve, as presented, the following revisions to policy FILE: B-13 **School Board** Policy Development:

FILE: B-13

SCHOOL BOARD POLICY DEVELOPMENT

The **Terrebonne Parish** School Board shall formulate policies to guide the action of those to whom it delegates authority. These guides shall constitute the policies governing the operation of the school district. They shall be recorded, in writing, and made a part of the official Terrebonne Parish School Board *Policy and Procedures Handbook* **Manual**.

The formulation and adoption of Board policies shall constitute one method by which the Board shall exercise its leadership in the operation of the school district. **When establishing Board policies, the Board shall prioritize student achievement, financial efficiency, and workforce development on a local, regional, and state-wide basis.** The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board shall exercise its control over the operation of the school district.

The policies of the Board are meant to be interpreted in terms of Louisiana laws, rules and regulations of the Louisiana Board of Elementary and Secondary Education (BESE), and all other regulatory agencies within the local parish, state, and federal levels of government.

~~The operation of policy or section of policy not established by law or contract may be temporarily suspended by a two-thirds (2/3) vote of Board members present and voting at a regular or special meeting. (moved below)~~

POLICY ADOPTION

~~The Board recognizes policy adoption as a major responsibility.~~ For a policy to be adopted by the Board, it must receive a *majority vote of the membership* of the Board.

The formal adoption of Board policies shall be recorded in the minutes of the Board. The official minutes shall constitute the authority for any change made in the *Policy and Procedures Handbook*. **Manual**.

The Board is recognized as the legal body authorized to approve policies for the School District and shall not delegate or relinquish that authority to another party or group. The Board welcomes comments and suggestions on local policy matters, and will comply with all laws addressing proper involvement of other parties in the policy process.

POLICY REVIEW

The Board shall periodically direct the systematic review of its policies. Monthly, the Education and Policy Committee will review all actions of the Board, which either modifies or amends existing policy, or which establishes new policy. These will be prepared in a proper manner for inclusion in the *Policy and Procedures Handbook*. **Manual**.

The Superintendent shall appropriately involve representative groups of administrators, teachers, supervisors, students, support personnel and lay citizens relative to policies affecting each group. The Superintendent shall solicit from all employees, on a periodic basis, recommendations to be considered for possible policy revision. Written suggestions should be transmitted to the Superintendent.

The Board shall appoint a *Discipline Policy Review Committee*, **as required by state law**, whose selection of members shall be neither discriminatory nor arbitrary in nature. The purpose of the *Discipline Policy Review Committee* shall be to annually review discipline policies of the Board to assure consistency with state law, receive input into the effectiveness of established policy, and make recommendations to improve policy provisions, **and assist the Board in the orderly operation of the school district. In particular, state law requires a policy review committee to review the Board's student discipline policies annually, to make recommendations for appropriate revisions.**

A public meeting shall be held on the recommendations before the Board considers revising any of the discipline policies. State law also requires the administrators, teachers and parents of each public school to meet annually and develop or review the discipline regulations for their school, **and assure compliance with Board policy and state law.**

POLICY DISSEMINATION

The Board shall direct the Superintendent to establish and maintain an orderly plan for disseminating School Board policies and administrative rules and regulations.

School Board policies and administrative rules and regulations shall be made accessible to all employees of the school district directly or indirectly affected by those policies. Board policies and administrative rules and regulations shall also be made accessible to members of the Board, students and members of the community served by the school district. At the end of each quarter, the compiled amendments, modifications or new policies will be distributed to all holders of the *Policy and Procedures Handbook*. **Manual** so that it is updated and kept current.

SUSPENSION OF POLICY

The operation of policy or section of policy not established by law or contract may be temporarily suspended by a two-thirds (2/3) vote of Board Members present and voting at a regular or special meeting. (moved from above)

ADMINISTRATION IN ABSENCE OF POLICY

In cases where action must be taken within the school system where the Board has no formalized policy statement, the Superintendent shall have the power to act. His or her decisions, however, shall be subject to review by action of the Board at its regular meeting. It shall be the duty of the Superintendent to inform the Board promptly of such action and of the need for policy if in his or her best judgment, a need for such policy exists.

STUDENT HANDBOOKS

It is acceptable that individual schools write student handbooks containing school policies and other pertinent information of value to the student. **Provisions included in student handbooks shall comply with all pertinent Board policies.** Individual school policies which will be placed in student handbooks, or otherwise, shall be submitted to the Superintendent for presentation to the School Board for final adoption.

Revised: July 1998

Revised: August 1998

Revised: March 2001

Revised: November 2012

Ref: Constitution of Louisiana, Art. VI, Sec. 10: La. Rev. Stat. Ann. § 17:416.8; Board minutes, 5-11-76, 7-21-98, 8-18-98, 3-20-01.

Mr. Ernest Brown, Supervisor of Child Welfare and Attendance, presented information on the Louisiana State University Health Sciences Center (LSUHSC) community outreach program (attachment). He said the program is designed for at-risk students and their families and is provided by LSUHSC at no cost to the Board.

Dr. Debra Yarbrough, Supervisor of Personnel, presented revisions, according to recent legislation, to policy FILE: F-4 Grievances.

RECOMMENDATION NO. 3

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-4 Grievances:

FILE: F-4

GRIEVANCES

Any employee or group of employees of the Terrebonne Parish School Board shall have the right to appeal the application and interpretation of policies, administrative decisions or laws affecting the employee or group of employees. The employee or group of employees shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in presenting an appeal of a grievance. All matters pertaining to a grievance shall be treated as confidential material and shall not be considered in decisions such as assignment, transfer, promotion or reemployment, leaves of absence and dismissal.

All grievances shall be handled expeditiously, and according to the procedures adopted by the Board. The primary purpose of the procedures is to secure, at the most immediate level possible, equitable solutions to grievances brought forth by employees.

A. Definitions:

1. A grievance is a claim by an employee or group of employees that the employee or group has suffered harm or injury by the interpretation, application or violation of a contract, a school board policy, administrative decision, a law or constitutionally guaranteed rights.

Grievances are of two types:

- 1) Substantive, according to law or policy, and
- 2) Procedural, the methodology of administering policies or legal right.

The term grievance does not include matters for which the method of review is prescribed by law or where the School Board is without authority to act.

2. A grievant is the employee or group of employees making the claim.

3. Immediate supervisor is that employee possessing administrative authority to direct the activities of the grievant and having the authority to resolve the claim.
4. The term days shall mean workdays. In order to expedite grievances begun at the end of the employment period by employees who work fewer than 12 months, workdays for these claims shall conform to the calendar of workdays for 12-month employees.

B. Procedure:

Step 1. The grievant shall informally and thoroughly discuss any grievance with his/her/their immediate supervisor. If no satisfactory resolution of the grievance is reached, the grievant shall present a written grievance to the immediate supervisor. Such written notice shall be presented no later than five (5) working days from the date of discussion with the immediate supervisor.

The written grievance should be submitted on the appropriate grievance form and should include:

1. A specific statement of the contract provision, School Board policy, administrative decision, law, or constitutional right violated;
2. Specific statement of the injury, loss, or inconvenience suffered by the grievant as a result of the violation;
3. Documentation which supports the claim of the grievance;
4. The results of informal discussion of the grievance at Step 1;
5. The specific action that the grievant requests to remedy the injury brought about by the violation.

Additional documents that support the claim may be attached to the form.

The immediate supervisor shall render a written decision to the grievant within five (5) days of the receipt of the written grievance. In communicating his/her decision to the grievant, the immediate supervisor must provide the reason(s) for the decision.

Step 2. In the event the grievant 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 appropriate Central Office staff member with authority to resolve the matter. Such appeal shall be presented within five (5) days of the Step 1 decision.

The Central Office staff member may meet with the grievant and other parties to the grievance to discuss the

facts of the grievance. The grievant shall be advised upon request prior to the meeting if anyone other than the grievant and the grievant's representative will be in attendance at the meeting with the Central Office staff member.

Within five (5) days of the receipt of the grievance, the Central Office staff member shall render a written decision. In communicating the decision, the Central Office staff member must provide the reason(s) for the decision.

- Step 3. In the event the grievant wishes to appeal the decision of Step 2, or if no decision has been rendered in the time specified, the appeal must be presented, in writing, to the Superintendent or Superintendent's designee. Such appeal shall be presented within five (5) days of the receipt of the Step 2 decision.

Upon receipt of such a written appeal, the Superintendent or designee shall schedule a hearing at a specific date and time. The time and date must be mutually agreed upon by the grievant and the Superintendent or designee.

The Superintendent or designee, at the date and time specified, shall conduct a full hearing on the grievance and maintain a transcript of the proceedings. Following the hearing, the Superintendent or designee shall render a written decision within ten (10) days of receipt of the written grievance. This written decision and the reason(s) for the decision shall be provided to the grievant. The written decision, the reason(s) for the decision, and a copy of the transcript of the hearing proceedings shall be provided to the School Board. The grievant shall also be provided with the procedure(s) to be followed should the grievant wish a hearing before the School Board.

- Step 4. The School Board shall conduct a hearing to dispose of the grievance within twenty (20) days of the decision of the Superintendent or designee and shall notify the grievant of the date and time. The grievant maintains the right to appear before the School Board and the right of representation before the Board.

- Step 5. In the event the grievant is not satisfied with the disposition at Step 4, the grievant may take additional action as provided within Federal or State statutes.

C. Representation

1. The grievant shall have the right to present his/her/their own grievance or may designate a representative to appear with him/her/them at any step of the procedure.
2. A grievant who chooses to have representation shall provide advance notice of such, in writing to administrator at the respective procedural level at least two days prior to the hearing on the grievance.

D. General Provisions

1. The number of days indicated at each level is a maximum. Every effort shall be made to expedite the progression of grievance. Time limits specified may be extended in any specific instance by mutual agreement of both parties.
2. At each level the person handling the grievance may meet with the parties involved with the grievance.
3. Appeals of grievance decisions will be limited to the specific issues raised in the original grievance. The parties involved with the grievance will not be allowed to expand the issues during the grievance procedure, except to the extent necessary to respond to administrative decisions made during the process.
4. All documents, communications, and records dealing with a grievance shall be filed separately from and no notation of such grievance shall appear in the official personnel file of the grievant, unless so requested by the grievant.
5. All meetings concerning grievances will take place at reasonable hours. Employees absent from their assigned duties because of such meetings must have the approval of the administration. If a grievance hearing is scheduled during the regular working day, all participants in the investigation and processing of the grievance, including the grievant and witnesses, shall be released from regular duties and shall suffer no loss of pay or benefits. Reasonable notice of scheduled hearings shall be given to all participants.
6. A grievance may be withdrawn at any level.
7. If the grievant voluntarily or involuntarily leaves the employment of the Board at any level of the grievance, then such grievant loses the right to continue the grievance process.
8. Failure by the grievant to meet the timelines and requirements of this procedure shall result in dismissal of the grievance. Failure by an administrator to meet timelines and requirements of this procedure shall allow the grievant, at his/her/their option, to proceed to the next level of appeal.
- 9. The dismissal or termination of any employee shall not be considered a grievable action.**

February 1999

Revised: April 1999

Revised: November 2012

Ref: La. Rev. Stat. Ann. §17:100.4; Pickering v. Board of Education, 88 S. Ct. 1731 (1968); Board minutes, 2-9-99.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9 Professional Personnel.

RECOMMENDATION NO. 4

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9 Professional Personnel:

FILE: F-9
Cf: F-10

PROFESSIONAL PERSONNEL

No new position shall be advertised unless the terms of employment and job description have been approved by the Terrebonne Parish School Board.

The Board shall require that each professional employee hold not less than a bachelor's degree from a regionally accredited college or university to be eligible for employment, whenever possible. Each teacher, including administrative personnel, shall be required to hold a current and valid teacher's certificate issued by the Louisiana State Board of Elementary and Secondary Education (BESE) or demonstrate proficiency in meeting all requirements necessary to obtain such a certificate. Other professional personnel shall be required to meet those qualifications necessary for the position assigned as may be determined by the Board.

PERSONNEL POSITIONS

The number of teachers and other personnel to be employed in the school district shall be determined by the Terrebonne Parish School Board. It is the intent of the School Board to activate a sufficient number of positions to accomplish the district's goals and objectives.

The Superintendent shall be delegated the authority to make recommendations to the Board for adding new positions and for making revisions and/or adaptations to existing job titles and/or descriptions, or for making adjustments to the system's personnel that will contribute to more efficient operations.

The Superintendent shall maintain a comprehensive and up-to-date set of job descriptions of all positions in the school district. These job descriptions shall be kept on file and utilized in conjunction with the performance evaluation plan. All personnel shall be given a copy of their respective job description when first employed and any time the job description is revised.

September 1998

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§**17:54, 17:81**, 17:413, 17:414, 17:441; Harrah Independent School District v. Martin, 99 S.Ct. 1062 (1979); Board minutes, 09-15-98.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.1 Compensation. Mrs. Rebecca Breaux, Supervisor of Finance and Statistics, discussed the new salary schedule for teachers, which will take effect in the 2013-2014 school year (attachment).

RECOMMENDATION NO. 5

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.1 Compensation and the attached 2013-2014 Teacher Salary Schedule:

FILE: F-9.1

COMPENSATION

SALARY SCHEDULES

Upon the recommendation of the Superintendent, the School Board shall establish salary schedules by which to determine the salaries to be paid to teachers and all other school employees. ~~The Salaries of all school personnel shall be established by the School Board upon a recommendation of set by the Superintendent. The salaries of all personnel are generally based upon an established salary schedule and associated regulations; provided, however, that salaries may be stated in and controlled by an employment contract. Creditable service for salary determination purposes shall be all service for which employees are eligible to receive credit in accordance with statutory provisions. Salary schedules shall be adopted by the Board, upon the recommendation of the Superintendent, and may be changed at the discretion of the Board from year to year to make salary adjustments as a result of the changing revenue and state laws.~~ **The salaries as provided in any salary schedule shall be considered as full compensation for all work required and performed within each employee's prescribed scope of duties and responsibilities.**

Salary schedules established for teachers, administrators, and other certified school personnel shall be based upon the following criteria, with no one criterion accounting for more than fifty percent (50%) of the formula used to compute such employees' salaries:

- 1. Effectiveness, as determined by the performance evaluation program as provided in La. Rev. Stat. Ann. §§17:3881 through 3905.**
- 2. Demand, inclusive of area of certification, particular school need, geographic area, and subject area, which may include advanced degree levels.**
- 3. Experience.**

No employee who is rated *ineffective* pursuant to the Board's performance evaluation program shall receive a higher salary in the year following the evaluation than the employee received in the year of the evaluation.

The amount of the annual salary paid to any ~~teacher~~ **employee** in any school year shall not be reduced below the amount of such salary paid during the previous school year, nor shall the amount of the annual salary paid to any ~~teacher~~ **employee** be reduced at any time during an academic year. The limitations on the reduction in the amount of the annual salary paid to any ~~teacher~~ **employee** shall not be applicable to the correction of any accounting errors or to a reduction necessitated by the elimination of a state program or state funding. Any salary reduction shall not apply to any local salary supplement funded, in whole or in part, from a revenue source requiring voter approval, when such voter approval has not been obtained. **The limitation on the reduction of salary shall also not apply to an employee who has been promoted and subsequently demoted. In this case, the employee's salary shall return to the salary previously received in the lower position from which promoted.**

Ordinarily, no teacher shall be placed on the payroll of the school district unless the teacher holds a valid certificate as required by law, and a copy of the teacher's contract has been filed with the Superintendent. Exceptions

shall **may** be made only when **qualified** teachers with valid certification are not available for employment; ~~subject to Board approval.~~

SALARY SUPPLEMENTS

The Board, at its discretion, may allow salary supplements to certain instructional personnel who assume special duties. Such supplements shall be reviewed and adopted upon the recommendation of the Superintendent.

EXPERIENCE CREDIT

A year of teaching experience is defined as each scholastic year of employment as a certified teacher in public schools within any of the fifty states of the United States of America, or within any of its territorial possessions; or as a teacher in a private or parochial school, as an employee in a state department of education, or as an instructor in an institution of higher learning. All such experience must have been as a teacher in an institution or school accredited by one of the recognized regional accrediting agencies in the United States of America (e.g., SACS). Experience outside the United States of America, its territories or possessions must be in an institution or school accredited by an accrediting agency recognized by the United States of America.

A year of teaching experience shall be granted if the person was employed for at least ninety-one (91) instructional days during one scholastic year, excluding holidays, as verified by the Superintendent. However, not more than one (1) year of experience shall be granted for a period inclusive of twelve (12) consecutive calendar months. All experience must have been on a full-time basis.

Any teacher holding a valid Louisiana teaching certificate in the public school system of Louisiana who has transferred to Louisiana from a public school system of another state and who, at the time of such transfer, held a valid teacher's certificate from that state, shall be given full credit under the ~~state minimum~~ salary schedule for the years of satisfactory teaching service previously rendered in the public school system of that state. Credit for previous teaching experience shall also be granted to anyone employed ~~by the Board~~ who holds a valid Louisiana teaching certificate and is employed or has been employed by another public school system in the state.

ADVANCED DEGREE

When a teacher **earns additional college credit**, is awarded an advanced degree, or receives additional training that would result in an increase in salary, said teacher shall be paid ~~according to the salary schedule~~ for the advanced degree or training beginning with the next school semester following notification of receipt of the advanced degree, or of training **after all necessary documentation has been received from the Louisiana Department of Education**. It shall be the responsibility of the employee to assure proper notification is given to the Superintendent or his/her designee.

RETIREES

The salary of any retiree who is re-employed as a full-time teacher shall be based on the salary schedule which accounts for all prior years of teaching service and pertinent experience. The status of any retiree who is re-employed shall be the same as a full-time active employee, subject to all applicable rules, procedures, policies, and statutes that apply to all such full-

time active employees.

Sick leave, and annual leave if applicable, shall accrue as any other newly hired employee. No sick leave or annual leave shall be carried forward at the time of rehire.

LONGEVITY INCREMENTS

All personnel are covered by a program of longevity increments to veteran Parish employees by the payment of longevity increments based upon all years credited in the employment of a school system plus a maximum of four (4) years military service prior to December 13, 1975, and all years in the employment of Terrebonne Parish School Board after December 13, 1975, above the regular annual salary.

Longevity Increments

<u>YEARS</u>	<u>INCREMENT</u>	<u>YEARS</u>	<u>INCREMENT</u>
8	\$100	21	\$1,400
9	\$200	22	\$1,500
10	\$300	23	\$1,600
11	\$400	24	\$1,700
12	\$500	25	\$1,800
13	\$600	26	\$1,900
14	\$700	27	\$2,000
15	\$800	28	\$2,100
16	\$900	29	\$2,200
17	\$1,000	30	\$2,300
18	\$1,100	31	\$2,400
19	\$1,200	32+	\$2,500
20	\$1,300		

~~OUT OF SCHOOL EMPLOYMENT (Moved to new policy F-12.10, Non-School Employment)~~

~~Persons employed by the Terrebonne Parish School Board shall not be permitted to engage in any outside activities that will interfere with school duties.~~

~~Any person employed by the Terrebonne Parish School Board shall not enter into gainful employment where said employment affects adversely his/her professional status or impairs his/her standing with students, associates, and the community.~~

STIPENDS

Stipends will be paid, only when offered, to employees including, but not limited to, teachers, school administrators, and paraprofessionals who participate in in-service training activities. Stipends, if offered, will be paid only after regular work hours, during holidays (exclusive of any paid holiday), or after the employee's regular contract period.

Maximum standards for stipends will be established by the Superintendent and staff and must be adhered to by all funding sources. In advance of each activity, presenters and participants shall be informed of the stipend.

The appropriate staff member shall approve employee eligibility for attendance of in-service training activities and the payment of stipends for

said activities.

PROHIBITIONS AGAINST EMPLOYEES DOING OTHER EMPLOYEES' PERSONAL WORK

~~No School Board employee shall be required to do any other employee's personal work during the work hours or at any other time and only at other times if said work is compensated for by the employee requesting said work or is on a voluntary basis. Said work shall not be done on School Board property or with School Board equipment. (Moved to policy F-9.21, Extra Duty)~~

Revised: September 1998

Revised: December 2001

Revised: July 2006

Revised: November 2012

Ref: **29 USC 201 et seq. (Fair Labor Standards Act of 1938, as amended)**; La. Rev. Stat. Ann. §§11:710, 17:81; 17:83, 17:84, 17:84.1, 17:411, 17:413, **17:418, 17:419 et seq, 17:421.4, 17:421.5, 17:422.6, 17:423, 17:424, 17:424.2, 17:424.3, 17:444, 17:491, 17:492, 17:496, 17:496.1, 17:497, 17:497.1, 17:498; Wright v. Caldwell Parish School Board, 30.448 (La. App. 2 Cir. 6/16/99); Garcia v. San Antonio Metropolitan Transit Authority et al., 105 S. Ct. 1005 (February 1985); Harrah Independent School District v. Martin, 99 S. Ct. 1062 (1979); Board minutes, 12-16-75, 9-13-88, 9-18-90, 11-27-90, 6-93, 11-21-95, 9-15-98, 12-18-01, 7-11-06, 10-20-09 (reference).**

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.9 Evaluation of Personnel. She said the only new change to this policy is that now everyone will receive an *annual* evaluation.

RECOMMENDATION NO. 6

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.9 Evaluation of Personnel:

FILE: F-9.9
Cf: F-4, F-10.9

EVALUATION OF PERSONNEL

The **Terrebonne Parish** School Board believes the quality of teaching and learning is directly related to the performance of personnel who work in the school district. ~~The Board, therefore, shall strive to attract, retain, and promote the most highly qualified personnel available for any and all positions of employment in the district. In turn, It is **therefore**, the policy of the **School** Board to appraise the performance of all personnel in its employ **instructional and administrative personnel** in order to help each individual improve his/her effectiveness, and to estimate individual potential **maintain performance at the levels essential for effective schools.**~~

The Superintendent and his/her staff shall have the responsibility for developing, monitoring, and maintaining an effective and efficient **personnel performance** evaluation program in accordance with guidelines as developed by the Department of Education and adopted by the Board of Elementary and Secondary Education **found in Regulations for Evaluation and Assessment of School Personnel, Bulletin 130** In doing so, the Board emphasizes that evaluations shall be conducted in a professional and cooperative manner and shall be diagnostic rather than judgmental. The

~~observation, evaluation, and assessment process shall result in the assessment of the strengths and weaknesses of the individual and the selection of the necessary steps which will be taken to help the individual continue to grow professionally~~ **measure the effectiveness of teachers and administrators as to whether they meet the necessary standard of performance.**

The process for all observations, evaluations, teacher conferences, and related functions shall be conducted in accordance with state requirements, as well as regulations and other criteria enumerated in the district's *Accountability and School Personnel Evaluation Guidelines*. **Evaluations shall be conducted annually.**

Every effort shall be made by the school system to communicate to position holders the general goals of the system, the specific objectives of the position, the plans which have been made to support the individual as he/she performs his/her role, the standards of performance the system has established, the criteria it will employ in assessing performance, ~~the information it will gather to make the appraisal, and the basis of the appraisal~~ **as well as components of an intensive assistance program for addressing those persons determined to be ineffective.**

Copies of the assessment and evaluation results and any documentation related thereto of any school employee retained by the School Board shall be confidential and shall not constitute a public record.

~~A grievance hearing may be requested and conducted regarding any result or actions which resulted from the implementation of the assessment and/or evaluation, and shall assure the employee of proper due process.~~

Should a teacher or administrator not agree with his/her rating, he/she may initiate grievance proceedings in accordance with the procedures for resolving conflict contained in Bulletin 130 and the Board's grievance procedures.

Revised: September 1998

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:3881 ~~et seq.~~, **17:3882, 17:3883, 17:3884, 17:3901, 17:3902, 17:3903, 17:3904; Regulations for the Evaluation and Assessment of School Personnel, Bulletin 130, Louisiana Department of Education;** Board minutes, 9-15-98.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.11 Promotion.

RECOMMENDATION NO. 7

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.11 Promotion:

FILE: F-9.11
Cf: F-9.3, F-9.4, F-9.12

PROMOTION

The **Terrebonne Parish School** Board shall ~~consider and determine all promotions of employees based upon the recommendations of the Superintendent.~~ **require, and the Superintendent shall verify that** all

employees considered for promotion ~~must~~ possess the appropriate qualifications and/or certification issued ~~the position to which promoted~~ **necessary for the position.**

TEACHERS/CERTIFICATED EMPLOYEES

Whenever a teacher/**certificated employee** is promoted by the Board **Superintendent** from a position of lower **base** salary to one of higher **base** salary, ~~the Board and employee~~ **employment** shall enter into **be based on** a written contract of employment **containing performance objectives. Such contract shall be** for a term of not less than two (2) years, nor more than four (4) years, **except when such employment is for a temporary position.** ~~as stipulated by the contract. At least one hundred twenty (120) days prior to expiration of the contract, the Superintendent shall notify the employee of termination of employment under said contract or the Board and employee may negotiate a new contract.~~

Any teacher **employee** thus promoted and who enters into an employment contract as stated above shall not gain permanent tenured status in the position to which promoted. ~~If tenured prior to promotion, then the employee shall retain such permanent status previously acquired. If the employee is serving a probationary term upon promotion, the probationary period shall continue to run and if appropriate, the teacher shall acquire tenured status as a teacher at the end of successfully serving the probationary period.~~

PROCEDURE

- A. ~~Employees of the Terrebonne Parish School System shall be notified of all positions which are considered promotions. Persons who meet the professional qualifications of the Parish and state certification requirements, at the time of interview, shall be allowed two (2) weeks to file an application with the Superintendent in compliance with applicable procedures.~~
- B. ~~Applicants shall be interviewed by an Interviewing Committee composed of the following:~~
1. ~~Assistant Superintendent/designee~~
 2. ~~Supervisor of Personnel/designee~~
 3. ~~Supervisor of the area involved~~
 4. ~~When a promotion is involved within a school, the principal of a school may be included on the committee.~~
 5. ~~Any other person designated by the Superintendent, except members of the Board.~~

~~Though serious consideration shall be given to tenured employees who possess the professional qualifications, there may be times when serious consideration shall be given to outstanding educators from outside the Parish, primarily in the fields of instrumental music, vocal music, athletics, or specific areas requiring a certain type of training or degree.~~

- C. ~~The Interviewing Committee, in making its recommendations to the Superintendent, shall give serious consideration to the following:~~

- ~~1. Present performance (evaluation of past principal and supervisor)~~
- ~~2. Past performance (evaluation of past principal and supervisor)~~
- ~~3. Ability to work with the public~~
- ~~4. Ability to work with the Superintendent's staff and the Terrebonne Parish School Board~~
- ~~5. Ability to make decisions~~
- ~~6. The oral interview~~
- ~~7. Years in the profession~~
- ~~8. Years in the Terrebonne Parish School System~~
- ~~9. Possesses appropriate degree for position~~
- ~~10. Certification in the area in which he/she will be supervising~~

~~Seniority is important. However, it shall be considered after certain other criteria.~~

- ~~D. The Superintendent shall furnish the names of applicants and their qualifications to the Board one (1) week in advance of the next School Board meeting. Should any member of the Board require additional information or possess any knowledge concerning the applicants which leads him/her to believe that they should not be considered for promotions, he/she should make this known to the Superintendent immediately. In the absence of such a request, the Superintendent shall then make his/her recommendation.~~

~~The Superintendent's final selection shall rest heavily on the evaluations of the Interviewing Committee. The final decision(s) and recommendation(s) for promotion(s) to the Board remain the responsibility of the Superintendent, however.~~

Reference: May 1963

Revised: March 1971

Revised: May 1973

Revised: November 1973

Revised: May 1976

Revised: February 1980

Revised: August 1985

Revised: May 1991

Revised: October 1995

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:81, 17:444; Board minutes, 5-21-63, 3-22-71, 5-1-73, 11-6-73, 5-11-76, 2-5-80, 8-6-85, 5-21-91, 10-17-95.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.13 Transfer.

RECOMMENDATION NO. 8

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.13 Transfer:

FILE: F-9.13

TRANSFER

The Terrebonne Parish School Board **Superintendent** may transfer any teacher **or other employee, including personnel employed as principals and supervisors,** from one position, school, or grade to another by giving written notice to the employee of such intention to transfer, provided such transfer is in accordance with the provisions outlined below. Such transfer shall **not** be without loss of status or violation of contract. ~~The transfer of any employee shall be made in accordance with applicable state law, in particular La. Rev. Stat. Ann. §17:81, which provides for consulting with the principal regarding any recommendations made by the Superintendent for the hiring or placement of any teacher or other certified personnel at the school in which the principal is employed. Any recommendations made by the principal shall not be binding upon the Superintendent but shall be considered by the Superintendent in making his/her recommendations to the Board~~ **for political or personal reasons. No transfers of instructional personnel shall be initiated during the regular school term, except in emergencies or promotional instances where transfers are required to preserve quality instruction.**

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

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

I. ~~Voluntary transfer~~

A. ~~In school letter of intent~~

- ~~1. Teachers shall complete an in school letter of intent to indicate an interest in changing positions within a school. Teachers employed in ancillary departments shall also complete a departmental letter of intent to indicate an interest in changing assignment within the department.~~
- ~~2. The in school letter of intent shall be completed no later than the end of the third nine weeks of the school session.~~
- ~~3. This in school letter of intent shall be used to fill vacancies within a school or department.~~

B. ~~Parish-wide letter of intent~~

- ~~1. Teachers shall complete a parish-wide letter of intent to indicate their intentions of employment and/or interest in transfer for the ensuing school year.~~

- a. ~~Non-tenured teachers will be allowed one (1) transfer in a 3-year period.~~
2. ~~The parish-wide letter of intent shall be completed no later than the end of the third nine weeks of the school session.~~
3. ~~Teachers shall be given a two-week time period to indicate their intent.~~

C. ~~Filling of vacancies~~

1. ~~Internal vacancies~~

~~Vacancies within a school or department shall be filled internally only by personnel properly certified in the area of the vacancy before the position is opened to employees outside the school or department in accordance with this policy. Voluntary internal transfer shall be based on the criteria in the following order of priority, except: When the principal recommends a different applicant on the basis of educational experience and/or training.~~

- a. ~~Minimum of Type C certification in area of vacancy~~
 - b. ~~Continuous seniority within the grade or subject within the school or department~~
 - c. ~~Continuous seniority within the school~~
 - d. ~~Continuous seniority within the parish~~
 - e. ~~Advanced degrees~~
 - f. ~~Total parish service~~
 - g. ~~Total outside teaching experience~~
2. ~~Announcement of vacancies~~
- a. ~~A list of all known and anticipated vacancies shall be posted twice yearly, once prior to transfer and once after transfers are completed. Vacancy lists shall be posted in each school building in a place affording ready access to all employees and in the central office. After the fifth work day of the second posting, all transfers are considered final.~~
 - b. ~~Transfers will be made prior to the end of the school session, whenever possible.~~
3. ~~Priorities for transfer~~
- a. ~~Priority in filling vacancies will be given those teachers requesting transfers for the ensuing year and who meet the certification requirements for the primary duties of the vacancy. All requests for~~

~~transfer shall be acted on before the assignment of any new personnel.~~

- ~~b. Seniority List - Each year a master seniority list of all professional personnel will be established according to areas of certification, grade, or classification using the employment records of the Board. This list shall be established by the end of the third nine weeks. This list will be maintained in the Office of Personnel and in the principal's office at each school as a public record for use by each employee.~~

~~Each new employee shall have his/her name added to the seniority list as of the date and time of hiring. Seniority shall mean years of continuous service including breaks for maternity and sabbatical leave. Leaves of absence without pay will break seniority, except in cases of extreme illness of the employee or his/her immediate family.~~

~~4. Due process~~

~~Teachers who feel their transfer rights have been violated must contact the Office of Personnel within five (5) work days of the second posting of the transfer list.~~

~~D. Criteria for transfer~~

~~Transfers between schools shall be based on the following criteria in the following order of priority:~~

- ~~a. Certification~~
- ~~b. Continuous seniority~~
- ~~c. Advanced degrees~~
- ~~d. Total parish service~~

~~When the receiving principal recommends a less seniored applicant, as a result of the interview process, transfers will be based on one or more of the following: educational experience, attendance, evaluation(s), professional attributes, extracurricular participation, and/or training as specified in the posted vacancy list.~~

- ~~1. All vacancies shall be filled by certified teachers, except in the case of emergencies, and then only when permitted by Louisiana State Law.~~
- ~~2. In cases where all factors are equal, the principal and a committee which shall include teachers from the receiving school shall interview eligible applicants and shall decide by majority vote.~~
- ~~3. The principal shall provide written reasons to the Superintendent/designee explaining the basis for the recommendation.~~
- ~~4. The deadline for all voluntary transfers shall be June 30th of each year.~~

~~II. Involuntary transfer~~

~~A. Involuntary transfer within a school, due to changes in enrollment in a particular grade or subject, shall be made by the principal of the school based upon the following order of priority:~~

- ~~1. Continuous experience within the grade or subject within the school (Non-certificated teachers will not gain seniority)~~
- ~~2. Continuous experience within the school (Non-certificated teachers will not gain seniority)~~
- ~~3. Continuous experience within the parish~~
- ~~4. Total outside teaching experience~~

~~B. Grade or subject area seniority is defined as the teacher's length of continuous service within the grade or subject area. School seniority is defined as the teacher's length of continuous service within the school.~~

~~C. A teacher subject to involuntary transfer due to changes in enrollment shall be given an opportunity to accept another position in the same school if a vacancy exists in his/her area of certification. If no such vacancy exists, this teacher will be allowed to replace only the teacher with the least seniority in the school in his/her particular areas of certification.~~

~~D. When involuntary transfers are necessary, lists of all vacancies in other schools shall be made available to all certified personnel being transferred. In filling such positions, preference shall be based on the criteria listed below:~~

- ~~1. Continuous experience within the grade or subject within the school (Non-certificated teachers will not gain seniority)~~
- ~~2. Continuous experience within the school (Non-certificated teachers will not gain seniority)~~
- ~~3. Continuous experience within the parish~~
- ~~4. Total outside teaching experience~~

~~E. All regularly employed teachers with fewer than three (3) years of continuous service who are subject to involuntary transfer shall be offered positions before the placement of teachers with fewer than three (3) years continuous service who have requested transfers.~~

~~F. Transfer during the school session~~

- ~~1. It is the policy of the Board not to transfer teachers from one school to another during the session. However, under unusual circumstances, at the discretion of the~~

~~Superintendent, a teacher may be transferred during the session for one of the following reasons:~~

- ~~a. To move a teacher into his/her field of certification~~
 - ~~b. To meet enrollment changes and/or curricular needs~~
 - ~~c. To overcome friction with the principal, other school employees, or community~~
- ~~2. A vacancy filled after the transfer deadline is considered a temporary assignment unless filled by a displaced teacher. Teachers accepting a temporary assignment do not accrue school seniority, but do accrue parish seniority.~~
 - ~~3. When a transfer is to be made during a session, a conference of employees concerned shall be held either with the Superintendent or his/her designee. A teacher who is opposed to a transfer shall have the right to appeal through the *Grievance Procedure*.~~
- ~~G. Transfer due to grade structure change and new school opening~~

~~Teachers in schools where grade structure is changed and a new school is built to accommodate grades removed are given first choice to fill positions at both schools.~~

- ~~H. Transfers due to school closure and new school opening~~

~~Positions at the new school will be filled based on criteria in the following priority:~~

- ~~1. Certification~~
- ~~2. Continuous seniority~~
- ~~3. Advanced degrees~~
- ~~4. Total parish service~~

- ~~I. Transfers due to school closure when no new school is built~~

- ~~1. Teachers in a school which is closed will be placed on a seniority list to fill positions open in the parish.~~
- ~~2. If no positions open, then the teacher can displace the least seniored, non-tenured teacher with the same certification in the parish.~~
- ~~3. In the event there are no non-tenured positions, the teacher can displace the least seniored, tenured teacher with the same certification.~~
- ~~4. In the event there are no non-tenured positions open in the teacher's area of certification, the teacher will be offered a temporary teaching assignment and can then displace the least seniored Temporary Certificated teacher.~~

III. Extenuating circumstances

~~In the event that extenuating circumstances occur, not specifically enumerated in the policy, the Superintendent of Schools, in consultation with the school administrator, shall make the final decision.~~

IV. Filing of grievance

~~Teachers who feel they have been unfairly denied transfer have the right to appeal through the *Grievance Procedure*.~~

VOLUNTARY TRANSFER

Employees who voluntarily request a transfer to another location or position shall submit such request to the Superintendent or principal, in writing. Such requests shall be submitted on or before May 1 in order to be considered for the next school year. A written notation of the request to transfer shall also be sent to the employee's principal or immediate supervisor.

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

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

Revised: January 1989
 Revised: June 1993
 Revised: October 1995
 Revised: April 1996
 Revised: July 1996
 Revised: January 1997
 Revised: April 1999
 Revised: March 2002

Revised: February 2003
 Revised: March 2003
 Revised: August 2008
 Revised: February 2011
Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:7, 17:81, 17:443; Board minutes, 1-17-89, 6-15-93, 4-25-95, 10-17-95, 4-23-96, 7-16-96, 1-21-97, 3-16-99, 4-20-99, 2-19-02, 3-5-02, 2-4-03, 3-18-03, 8-19-08, 2-15-11.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.14a Reduction in Force.

RECOMMENDATION NO. 9

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.14a Reduction in Force:

FILE: F-9.14a

REDUCTION IN FORCE

It shall be the policy of the Terrebonne Parish School Board to maintain a fair and balanced educational program consistent with the functions and responsibilities of public schools. When faced with circumstances which may necessitate a reduction of personnel greater than can be accomplished through attrition and appropriate reassignment, a reduction of personnel

action may be employed. All feasible alternatives to the layoffs of employees shall be considered prior to the implementation of the provisions stated herein. The determination for the need to implement reduction of personnel procedures and all decisions effecting such action shall be made by the Superintendent.

Employees on Board approved leaves of absence shall be treated in the same manner as other regularly employed personnel insofar as application of this policy.

No personnel action other than a reduction of personnel may be considered under this policy.

TEACHERS AND ADMINISTRATORS

Reduction of teachers and administrators shall be based **solely** upon demand, performance, and effectiveness, as determined by the performance evaluation program adopted by the Board in accordance with La. Rev. Stat. Ann. §§17:3881 through 3905. Any reduction of teachers and administrators by the Superintendent shall be instituted by dismissing the least effective teacher within each targeted subject area or area of certification first, and then proceeding by effectiveness rating until the reduction of personnel has been accomplished.

ALL OTHER EMPLOYEES

Reduction of school employees, including bus drivers, who are **not** evaluated pursuant to La. Rev. Stat. Ann. §§17:3881 through 3905, shall be based upon the following criteria:

1. Performance and effectiveness as determined by the Board's personnel evaluation plan.
2. Certification or academic preparation, if applicable.

~~In the event that one or more school bus operators must be removed due to the abolition, discontinuance, or consolidation of routes, after a determination of the School Board, the principle of seniority shall apply, so that the last school bus operator hired within the school system shall be the first to be removed.~~

NOTICE TO INDIVIDUAL EMPLOYEE

When a reduction of personnel action is instituted, written notice of termination shall be given by the Superintendent or his/her designee by certified mail, return receipt requested, to the employee to be terminated. The notice shall include a statement of the general conditions requiring a reduction of personnel. The employee's address, as it appears on the School Board's record, shall be deemed to be the correct address. It shall be the employee's responsibility to see that the School Board has his/her current address on file.

REVIEW OF INDIVIDUAL TERMINATIONS

Within ten (10) days after receiving a notice of termination, an employee may request, in writing, a review of the action taken and shall receive notice of the results of the review in a timely manner, but no later than ten (10) days after the notice to review is received. The employee shall have the right to pursue a reduction action through the Board's grievance procedures.

RECALL OR OTHER EMPLOYMENT

~~For one (1) year after the effective date of a termination, the employee shall be given the first opportunity to be reinstated to the position from which terminated. Employees shall be recalled in reverse order to their lay-off.~~

~~The offer of re-employment shall be made by certified mail, return receipt requested, and the employee shall be notified that, if he/she wishes to accept, he/she must do so in writing within seven (7) calendar days. Failure to accept within seven (7) calendar days or rejection of the position eliminates all re-employment rights of the employee.~~

~~An employee who is recalled within one (1) year after being laid off shall have restored to him/her all of the sick leave and unused personal leave, if applicable, he/she had accrued on the effective date of the layoff.~~

SEVERABILITY OF PROVISIONS

If any provision of this policy or the application thereof is held invalid, such invalidity shall not affect other provisions of this policy which can be implemented without the invalid provisions and, to this end, the provisions of this policy are hereby declared severable.

Any and all provisions of this policy shall yield to existing state law, whether statutory or not, when held to be in conflict with said law or laws.

Approved: January 1989
Revised: October 2011

Revised: August 2012
Revised: November 2012

Ref: P.L. 99-272, 100 Stat. 82 (1986) (COBRA, Consolidated Omnibus Budget Reconciliation Act); La. Rev. Stat. Ann. §§17:81, 17:81.4; Board minutes, 1-17-89, 10-18-11, 08-21-12.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.15 Resignation.

RECOMMENDATION NO. 10

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.15 Resignation:

FILE: F-9.15

RESIGNATION

The **Terrebonne Parish** School Board **shall** requires **any** employees who wish **es** to terminate ~~their~~ **his/her** employment with the Terrebonne Parish School Board to submit **a** letters of resignation to the Superintendent or his/her designee. **The Superintendent shall accept any letters of resignation on behalf of the School Board and such resignation shall be considered effective upon receipt by the Superintendent.** ~~The Board shall empower the Superintendent to finalize resignations by accepting letters of resignation in its name and under all judicial and statutory powers accorded to them. Furthermore, The Superintendent shall report all such resignations to the Board at the next regularly scheduled meeting.~~

Any employees **who intends to** resigning from employment with the Board after the end of the school session **shall be urged to submit his/her letter of resignation** ~~do so~~ as soon as possible.

Resignations should include the reason for the request and the exact date for release.

September 1998

Revised: November 2012

Ref: La. Rev. Stat. Ann. §17:81; Board minutes, 9-15-98.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.17 Employee Discipline.

RECOMMENDATION NO. 11

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-9.17 Employee Discipline:

**FILE: F-9.17
Cf: F-8, F-12.3**

EMPLOYEE DISCIPLINE

~~The Terrebonne Parish School Board, in accordance with state law, **The Superintendent and the employee's supervisors** shall have **possess the** authority to discipline employees in any manner, including oral or written reprimand, suspension, or termination, when an employee's behavior warrants such action. When not otherwise provided for by state law or Board policy, any disciplinary action to be considered by the Board shall be based on the recommendation of the Superintendent. **A principal shall have the authority to discipline all employees at the school in which he/she is employed.**~~

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

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

~~If, at any time, the School Board takes any personnel action against an employee based upon any document that was placed in the employee's personnel file on or before September 1, 1987, the employee shall be given the opportunity to rebut and respond to such document.~~

SUSPENSION

Tenured Teachers

The Superintendent shall have the authority to suspend tenured teachers without pay when the circumstances necessitate immediate action. The teacher may request a hearing as outlined in La. Rev. Stat. Ann. §17:443. Such request shall be made within seven (7) calendar days of the Superintendent's action of suspending the tenured teacher.

Contract Appointees

The Superintendent shall have the authority to suspend persons employed on performance contracts, with or without pay, when circumstances necessitate immediate action. If sufficient grounds for suspension without pay are subsequently not found to exist by the School Board or Superintendent, the contract appointee shall be reimbursed for any loss of compensation.

Non-Tenured Employees

The Superintendent shall have the authority to suspend any non-tenured/non-contract employee, with or without pay, when circumstances warrant such action.

New policy: March 2007

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:81, 17:81.8, 17:443; **Reed v. Orleans Parish School Board, April 30, 1945, 21 So.2d 895; Frazier v. East Baton Rouge Parish School Board, App. 1 Cir. 1961, 128 So.2d 250.**

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-9.17a Suspension.

RECOMMENDATION NO. 12

The Committee recommends that the Board approve the deletion of policy FILE: F-9.17a Suspension from the Policy Manual:

RECOMMEND DELETION

FILE: F-9.17a

SUSPENSION

The Terrebonne Parish School Board may suspend any person in its employment, with or without pay, when the Superintendent has reason to believe that cause exists for such suspension when the interests of the school district so dictate.

The Superintendent shall have the authority to temporarily suspend school personnel when, in his/her opinion, the circumstances necessitate immediate action. If sufficient grounds for suspension are subsequently not found, the employee shall be reinstated and any back pay restored, if necessary.

Upon suspension of an employee by the Superintendent, the Superintendent shall notify the Board of his/her action and shall refer the matter to the Board for consideration of appropriate action.

Revised: September 1998

Recoded: March 2007

Deleted: November 2012

Ref: La. Rev. Stat. Ann. §§17:81, 17:443; **Frazier v. East Baton Rouge Parish School Board, App. 1961, 128 So.2d 250; Board minutes, 9-15-98.**

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-10 Non-Instructional/Support Personnel.

RECOMMENDATION NO. 13

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-10 Non-Instructional/Support Personnel:

FILE: F-10
Cf: F-9

NON-INSTRUCTIONAL/SUPPORT PERSONNEL**PERSONNEL POSITIONS**

No new position shall be advertised unless the terms of employment and job description have been approved by the Terrebonne Parish School Board.

The number of support personnel to be employed in the school district shall be determined by the Terrebonne Parish School Board. It is the intent of the Terrebonne Parish School Board to activate a sufficient number of positions to accomplish the district's goals and objectives.

The Superintendent shall be delegated the authority to make recommendations to the Board for adding new positions and for making revisions and/or adaptations to existing job titles and/or descriptions, or for making adjustments to the system's personnel that will contribute to more efficient operations.

The Superintendent shall maintain a comprehensive and up-to-date set of job descriptions of all positions in the school district. These job descriptions shall be kept on file and utilized in conjunction with the performance evaluation plan. All personnel shall be given a copy of their respective job description, when first employed, and any time the job description is revised.

Revised: November 2012

Ref: **La. Rev. Stat. Ann. §§17:54, 17:81**; Board minutes, 5-21-91.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-10.1 Compensation Guides Non-Instructional/Support Personnel.

RECOMMENDATION NO. 14

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-10.1 Compensation Guides Non-Instructional/Support Personnel:

FILE: F-10.1

**COMPENSATION GUIDES
NON-INSTRUCTIONAL/SUPPORT PERSONNEL**

Compensation for all school employees shall be based on applicable salary schedules or hourly rates established by the Terrebonne Parish School Board, with the exception that no employee shall receive less than the minimum established by state or federal law. No employee who is rated ineffective pursuant to the Board's performance evaluation program shall receive a higher salary in the year following the evaluation than the employee received in the year of the evaluation.

CREDIT FOR EXPERIENCE

~~An employee who has had experience or training that makes him/her more valuable than a beginning employee may be employed at a salary above the beginning rate.~~

OVERTIME

1. Hourly Wage Employees
 - A. Overtime work which will be paid by non-reimbursable funds must be necessitated by extreme emergency. Such overtime must be authorized by the department head, with the approval of the Superintendent or his/her designee. Overtime work for school-related activities shall be paid out of school-generated funds.
 - B. The employee performing approved overtime work shall have the option of receiving overtime pay or release time. Release time shall be approved by the department head and shall not affect the orderly operation of the school system.
 - C. Compensation for overtime pay shall be one and a half (1 ½) times the hourly rate of pay. Release time shall be one and a half (1 ½) times the overtime worked.
2. Other Employees
 - A. Overtime work necessitated by extreme emergency must be authorized by the Superintendent or his/her designee. Extreme emergencies are such events as natural disasters or man-made disasters.
 - B. The employee performing approved overtime shall be compensated with release time. Release time shall be approved by the Superintendent and shall not affect the orderly operation of the school system.
 - C. Release time shall be one and a half (1½) times the overtime worked.

BUS DRIVERS: COMPENSATION FOR BREAKDOWN TIME

Breakdown time which exceeds thirty (30) minutes beyond the regular route will be compensated at a rate of no less than **the minimum established by state and federal law.**

Revised: November 2012

Ref: Board minutes, 5-23-90.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-10.9 Evaluation Non-Instructional/Support Personnel.

RECOMMENDATION NO. 15

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-10.9 Evaluation Non-Instructional/Support Personnel:

**EVALUATION
NON-INSTRUCTIONAL/SUPPORT PERSONNEL**

All non-instructional personnel will be evaluated periodically in terms of their job descriptions.

In an effort to improve the level of job production and skill performance of the individual employee, evaluations of support personnel shall be conducted annually. Performance evaluations shall be based on an employee's job classification and the School Board's adopted standards for the work performed.

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:3881, 17:3882, 17:3883, 17:3884, 17:3901, 17:3902, 17:3903, 17:3904; Regulations for the Evaluation and Assessment of School Personnel, Bulletin 130, Louisiana Department of Education; Board minutes, 8-6-85.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-10.10 Promotion of Non-Instructional/Support Personnel.

RECOMMENDATION NO. 16

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-10.10 Promotion of Non-Instructional/Support Personnel:

FILE: F-10.10

Cf: F-10.1, F-10.4, F-10.11

PROMOTION OF NON-INSTRUCTIONAL/SUPPORT PERSONNEL

~~The Terrebonne Parish School Board shall consider and determine all promotions of employees based upon the recommendation of the Superintendent.~~ **Decisions regarding promotion of support personnel shall be made by the Superintendent.** Ordinarily, all employees considered for promotion must possess the appropriate qualifications, and/or certification if applicable, issued for the position to which promoted.

PROCEDURES

- ~~A. Employees of the Terrebonne Parish School System shall be notified of all positions which are considered promotions. Persons who meet the qualifications of the job requirements, at the time of interview, shall be allowed two (2) weeks to file an application or a letter of intent with the Superintendent in compliance with applicable procedures.~~
- ~~B. Applicants shall be interviewed by an Interviewing Committee composed of the following:~~
- ~~1. Supervisor of Personnel/designee~~
 - ~~2. Department head of the area involved~~
 - ~~3. When a promotion is involved within a school, the principal of a~~

~~school may be included on the committee.~~

~~4. Any other person designated by the Superintendent, except members of the Board.~~

~~C. Positions that are not within the instructional program (example: bus drivers, custodians, food service workers, secretaries, etc.) will be advertised and filled during the school year as openings exist.~~

~~D. Employees who apply for vacancies and are classified in the same classification of job vacancy advertised will be selected as a lateral transfer, based on continuous seniority within the program, before any other applicant is selected. (Transfer policy of non-instructional/support personnel.)~~

~~E. If no lateral transfer occurs, the Interviewing Committee will give serious consideration to the following:~~

~~1. Present performance (evaluation of past principal and supervisor)~~

~~2. Past performance (evaluation of past principal and supervisor)~~

~~3. Ability to work with school staff~~

~~4. Ability to make decisions~~

~~5. The oral interview~~

~~6. Years in the classification~~

~~7. Years in the Terrebonne Parish School System~~

~~Seniority is considered important. However, it shall be considered after certain other criteria.~~

~~F. The Office of Personnel shall furnish the recommendation of the Interviewing Committee to the Superintendent. The Superintendent's final selection shall rest heavily on the evaluations of the Interviewing Committee.~~

December 1998

December 2001

Revised: November 2012

Ref: La. Rev. Stat. Ann §17:81; Board minutes, 5-17-90, 5-21-91, 10-17-95, 12-15-98, 12-18-01.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-10.12 Transfer of Non-Instructional/Support Personnel.

RECOMMENDATION NO. 17

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-10.12 Transfer of Non-Instructional/Support Personnel:

FILE: F-10.12

TRANSFER OF NON-INSTRUCTIONAL/SUPPORT PERSONNEL

The Terrebonne Parish School Board **Superintendent** may transfer any non-instructional/support personnel from one position, grade, or work site to another by giving written notice to the employee of such intention to transfer, provided such transfer is in accordance with the provisions outlined below. Such transfer shall be without loss of status or violation of contract. The transfer of any employee shall be made in accordance with applicable state law.

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

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

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

I. ~~Voluntary transfer~~

A. ~~Announcement of vacancies~~

1. ~~As soon as a position is declared vacant, the Supervisor of Personnel will notify personnel of the intent to fill the position.~~
2. ~~Personnel within the same job category interested in voluntary transfer to that position shall, within two (2) weeks of notification, submit a request for transfer to the Supervisor of Personnel.~~

B. ~~Criteria for filling vacancies~~

1. ~~Continuous seniority at the work site in the job category~~

~~Continuous seniority shall mean continuous service including breaks for maternity leave. Leaves of absence without pay will break seniority, except in cases of extreme illness of the employee or his/her immediate family.~~
2. ~~Continuous seniority in the job category in the Terrebonne Parish School System~~
3. ~~In cases where all factors are equal, the tie shall be broken by the drawing of lots in the presence of the employees.~~
4. ~~If the vacancy cannot be filled through voluntary transfer, the position may be filled through involuntary transfer or will be readvertised and filled through promotion or by a~~

~~new hire.~~

~~II. Involuntary transfer~~

~~A. Involuntary transfer will be made for one of the following reasons:~~

- ~~1. To balance services of the system when imbalance is caused by enrollment changes, attrition, curricular changes, or work site/school closure~~
- ~~2. To overcome friction with the principal/department head, other employees, or the community~~
- ~~3. To comply with funding mandates.~~

~~B. When a position at a work site is eliminated for one of the aforementioned reasons, all employees in the job category at the work site will be provided a list of vacant positions at other work sites. In filling such vacancies, preference will be given to the most senior employee who voluntarily accepts transfer. If no employee volunteers for transfer, the least senior employee in the job category will be involuntarily transferred.~~

~~C. An employee who is involuntarily transferred to a lower paying classification shall not receive less pay.~~

~~III. Extenuating circumstances~~

~~In the event that extenuating circumstances occur, not specifically enumerated in the policy, the Superintendent of Schools, in consultation with the school administration, shall make the final decision.~~

~~IV. Filing of grievance~~

~~An employee who is opposed to a transfer shall have the right to appeal through the established Grievance Procedure.~~

July 1996

January 1997

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:7, 17:81, 17:421.3, ~~17:441 et seq~~, **17:443**; Board minutes, 1-17-89, 6-15-93, 7-16-96, 1-21-97.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-10.18 Suspension **Discipline** Non-Instructional/Support Personnel.

RECOMMENDATION NO. 18

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-10.18 Suspension **Discipline** Non-Instructional/Support Personnel:

FILE: F-10.13b F-10.18

**SUSPENSION DISCIPLINE
NON-INSTRUCTIONAL/SUPPORT PERSONNEL**

The Superintendent and the employee's supervisors shall possess the authority to discipline employees when an employee's behavior warrants such action. Principals shall have the authority to discipline all employees at the school in which he/she is employed.

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

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

SUSPENSION

The Superintendent shall have the authority to suspend tenured bus operators and persons employed on performance contracts, with or without pay, when circumstances necessitate immediate action. If sufficient grounds for suspension without pay are subsequently not found to exist by the School Board or Superintendent, the bus operator or contract appointee shall be reimbursed for any loss of compensation.

The Superintendent shall have the authority to suspend any non-tenured/non-contract employee, with or without pay, when circumstances warrant such action.

Bus Drivers

1. A minimum five (5) day suspension, without pay, will be given for willful neglect to keep his/her equipment in safe, comfortable and practical operating condition.
2. A minimum five (5) day suspension, without pay, will be given for willful neglect to stop for stop signs, red lights, going over the speed limit in any speed zone, and not stopping for railroad tracks.
3. A minimum twenty (20) day suspension, without pay, pending a hearing before the Board for consideration of dismissal for willful neglect of duty, incompetence, immorality, or consumption of any alcoholic beverage between 12:01 a.m., and the completion of the duties for the day, or physical disability to perform his/her duties.
4. A minimum one (1) day suspension, without pay, will be given for unauthorized use of cellular telephones during the operation of a bus or while students are on the bus. A minimum three (3) day suspension, without pay, with a possible administrative hearing, will be given for the second offense for unauthorized use of cellular telephones. The use of cellular telephones by school bus operators shall be authorized only under the following conditions:
 - A. An emergency situation exists, such as mechanical problem, accident, illness of driver or passenger, and the bus is pulled safely out of traffic (if possible) and motor is turned off.

Revised: February 2006

Revised: November 2012

Ref: Ref: La. Rev. Stat. Ann. §§17:81, 17:81.8, 17:443; Reed v. Orleans Parish School Board, April 30, 1945, 21 So.2d 895; Frazier v. East Baton Rouge Parish School Board, App. 1 Cir. 1961, 128 So.2d 250; Board minutes, 2-21-06.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-11 Leaves and Absences.

RECOMMENDATION NO. 19

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-11 Leaves and Absences:

FILE: F-11

Cf: F-9.1

LEAVES AND ABSENCES

NOTIFICATION OF ABSENCE

An employee, upon ascertaining that he/she will be absent from his/her duties, should notify, or have some other person notify, his/her principal or immediate supervisor in time for a substitute to be employed. Except in extreme emergencies, the word "time" is interpreted to mean at least one (1) hour before the appointed working hour. Failure to do so will subject the employee to a charge of neglect of duty.

ABSENCES DURING THE SCHOOL DAY

An employee who desires a leave of absence from his/her duties for a part of a school day should direct his/her request to the principal/department head of the work site. If the request meets with the approval of the principal/department head, he/she shall then refer it to the Superintendent or in the absence of the Superintendent, to the supervisor in charge.

The Superintendent, at his/her discretion, may grant such leaves of absence with pay for a period not to exceed one-half (½) school day. Those one-half (½) days granted by the Superintendent will be included in the Executive Committee report to the Board.

Unauthorized Absence

Any employee who is absent from work and who has not received an authorized leave shall be considered on unauthorized leave. Any employee on unauthorized leave shall receive no pay for those days which constituted the unauthorized leave and may be subject to dismissal and/or other disciplinary actions.

Job Abandonment

If an employee is absent for ten (10) or more days without explanation or approved leave, the School Board may consider the job as abandoned and the employee terminated, unless the employee can provide acceptable and verifiable evidence of extenuating circumstances, as determined by the Superintendent.

EDUCATIONAL CONFERENCE

The principal/department head shall grant an employee a maximum of two (2) hours leave of absence with pay for verified, mandated, school-related, educational conference, or kindergarten registration for the employee's child.

DOCKING OF SALARIES

~~If there is an unauthorized absence, the Board shall dock the employee for the entire amount of the day's pay.~~

Revised: July 1996

Revised: January 1997

Revised: February 2000

Revised: October 2000

Revised: February 2001

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:81, **17:1186**, 17:1201, 17:1202, **17:1203, 17:1204, 17:1206, 17:1208, 17:1208.1**, 17:500.2, 23:1015.2; *Gayle v. Porter*, 239 So.2d 739; Board minutes, 12-13-77, 6-17-86, 5-1-90, 7-16-91, 7-16-96, 1-21-97, 2-15-00, 10-17-00.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-11.1 Sabbatical Leave.

RECOMMENDATION NO. 20

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-11.1 Sabbatical Leave:

FILE: F-11.1

SABBATICAL LEAVE

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

ELIGIBILITY (moved from below)

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

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

MEDICAL SABBATICAL LEAVE

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

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

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

The opinion of all physicians consulted shall be submitted ~~to the Board~~ in the form of a **sworn statement**. All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law.

SABBATICAL LEAVE FOR PROFESSIONAL OR CULTURAL IMPROVEMENT

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

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

Final authority for granting such leave shall rest with Superintendent.

ELIGIBILITY (moved to page 1)

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

~~At no time may more than five percent (5%) of the total number of teachers~~

~~employed in a school system be on leave. Selection of employees among those who qualify for sabbatical leave must be based on years of continuous service and other criteria as specified by statute.~~

PROCEDURE FOR APPLICATION

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

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

2. Whenever, in accordance with statutory provisions, some of the applications cannot be granted, from among those which would otherwise be granted, those to be granted shall be determined in the following manner:
 - A. Preference in every case shall be given to the applicant who has rendered active service in the school system for the greatest number of consecutive semesters immediately preceding the period for which leave is requested.
 - B. Where any two (2) applicants rank equally in point of continuous service, preference in every case shall be given to the applicant who has rendered service in the school system for the greater total number of semesters.
 - C. Where any two (2) applicants rank equally in both point of continuous service and in point of total service, preference in every case shall be given to the applicant whose date of birth is earlier.
 - D. In cases where all factors are equal, the tie shall be broken by the drawing of lots in the presence of the employees.
3. Applicants whose applications are filed in the first thirty (30) days of the semester shall be given a preference over those who seek **medical** sabbatical leave under the special provision relating to sickness during a school semester.
4. Every application for sabbatical leave shall specify **all** of the following:
 - A. The period for which leave is requested;
 - B. Whether leave is requested for the purpose of professional or cultural improvement, or for the purpose of medical leave;

- C. The precise manner, in so far as possible, in which such leave, if granted, shall be spent;
- D. The semesters spent in active service in the school system from which leave is requested; and
- E. The date of birth of the applicant.

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

COMPENSATION

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

CONDITIONS OF SABBATICAL

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

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

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

No person who, upon the expiration of his/her sabbatical leave, immediately begins employment with a state-operated educational agency, city, parish, or other local school board, department, school, college or university instead of returning to the school system which granted him/her such leave, shall be required to forfeit that portion of compensation paid to him/her by the State while he/she was on such

leave. However, such person shall be required to reimburse the school system any salary paid to him/her by the Board while he/she was on leave, unless the ~~Board~~ **Superintendent** opts to exercise the waiver provision as explained ~~herein below~~ **under Waiver of Intention to Return to Service Clause below.**

As per statutory requirement, any employee taking sabbatical leave who fails to return to service in this **School** District upon expiration of the leave as specified above for any reason other than incapacitating illness as certified by two (2) physicians, shall forfeit all salary compensation received during the leave period.

The ~~Board~~ **Superintendent** shall have the authority to waive this requirement in accordance with its pre-published criteria, as noted under **Waiver of Intention to Return to Service Clause below**, if ~~it~~ **he/she** deems such to be in the best interest of the School District, provided that such a waiver shall not be of a discriminatory nature against any employee or applicant because of his or her job description, age, race, or sex.

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

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

GUIDELINES FOR WAIVING INTENTION TO RETURN TO SERVICE CLAUSE

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

1. Any person whose spouse is transferred out of the parish (job requirement not anticipated before leave) during the time the teacher is on leave or within one (1) year immediately following the termination of such leave (certification must be provided by spouse's employer).
2. Any person who receives a position to the State Department of Education, to another public school system within the State of Louisiana, or to a state-operated educational agency. In such instances, the person granted sabbatical leave, upon the expiration

of leave, shall be permitted to retain that portion of compensation paid by the state while he/she was on leave. However, such person shall be required to reimburse the Board any compensation paid by the Board while on leave.

3. Incapacitating illness, as certified by two (2) physicians.
4. Incapacitating illness of member of immediate family (mother, father, sister, brother, husband, wife, child), as certified by two (2) physicians, wherein employee must remain at home to care for said family member, within one year immediately following termination of the sabbatical.
5. Whenever, in the Board's **Superintendent's** opinion, such a waiver would be in the best interest of the School District.

July 1996

January 1997

November 1998

Revised: December 1999

Revised: August 2003

Revised: December 2004

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§11:755, ~~14:125~~, 17:1170 ~~et seq.~~, **17:1171, 17:1172, 17:1173, 17:1174, 17:1175, 17:1176, 17:1177, 17:1178, 17:1179, 17:1180, 17:1181, 17:1182, 17:1183, 17:1184, 17:1185,** ~~17:1186~~, 17:1187; Board minutes, 10-17-78, 6-7-83, 10-9-84, 5-17-90, 5-19-92, 7-16-96, 1-21-97, 11-17-98, 12-14-99, 10-21-03, 12-21-04.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-11.4 Sick Leave.

RECOMMENDATION NO. 21

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-11.4 Sick Leave:

FILE: F-11.4
Cf: F-9.16, F-11.4b, F-11.13

SICK LEAVE

The Terrebonne Parish School Board shall grant all employees hired for the school year or longer a minimum of ten (10) days absence per year, because of personal illness or other emergencies, without loss of pay.

Sick leave, when not used, shall be allowed to accumulate to the credit of the employee without limitation. However, upon initial employment, a *teacher* employed by the Board shall not be allowed any sick leave until he or she reports for duty and actually performs work.

The minimum of ten (10) days of sick leave for an employee shall be based on the employee beginning work at the beginning of the school year. In the case of an employee beginning work in the first month of the school year, *ten days* sick leave shall be allowed. If an employee begins work in the second month of the school year, *nine days* of sick leave shall be allowed. If an employee begins work in the third month of the school year, *eight days* of sick leave shall be allowed; if an employee begins work in the fourth

month of the school year, seven days of sick leave shall be allowed; and the number of days of sick leave shall continue to be prorated for an employee who begins work until the eighth month of the school year, when only *three* days of sick leave shall be allowed. The Superintendent and/or his/her designee shall be responsible for developing and maintaining pertinent regulations and procedures governing sick leave. The Executive Committee shall be authorized to award up to two (2) additional days of sick/emergency leave for reasons listed under "Sick Leave for Emergencies" below.

An employee who is absent for six (6) or more consecutive days shall be required to present a certificate from a physician certifying such absence upon return to work.

In the case of repeated absences of less than six days because of illness, the Board reserves the right to require verification of illness. Should a pattern of behavior so warrant, upon the request of the Superintendent or his/her designee, the employee shall be required, at the expense of the school system, to provide a certificate from a physician specified by the school system, in order to verify the existence of a medical disability.

Excuses for employee absences due to illness or injury must be provided on physician's letterhead containing the physician's name, address, and telephone number, typed, printed or as part of the letterhead. The physician's typed or neatly printed name shall also appear beneath his/her signature. The letter must clearly state the reason for the disability, date of the disability, and the anticipated return-to-work date.

Upon the retirement of any employee, or upon the employee entering DROP (see section below), or upon the employee's death prior to retirement, the School Board shall pay the employee or his/her heirs or assigns, for any unused sick leave, not to exceed twenty-five (25) days. Such pay shall be at the daily rate of pay paid to the employee at the time of his/her retirement or death.

If an employee is absent from duty under circumstances in which he/she is not entitled to any kind of leave, such employee shall be considered to be in violation of his/her contract, and is not entitled to be paid for the days of unauthorized absence and non-performance of duties.

SICK LEAVE FOR EMERGENCIES

Emergencies for sick leave purposes shall be defined by the Board as:

1. The serious illness of:
 - a. Spouse
 - b. Child or spouse of child
 - c. Parents or parents of spouse
 - d. Brother, sister, brother-in-law, sister-in-law, or his/her spouse
 - e. Grandparents or grandparents of spouse
 - f. Grandchild
 - g. Aunts or uncles
 - h. A person living and being cared for under the same roof as that of the employee.
2. A sudden or unexpected occurrence or combination of occurrences demanding prompt action on the part of the teacher/employee requesting leave, which, if the said person fails to act promptly is likely

to cause significant harm, detriment or injury to said person or to a member of his/her immediate family. This definition precludes absence in any case for which the need for action can be foreseen and planned for, or in which action can be taken by some other person, or in which the claimed emergency is not truly substantial. Such examples may include, but not be limited to the following:

- a. Fire
 - b. Flood
 - c. Other acts of God
3. The death of a person other than those listed in (#1) above.
 4. Attendance at the wedding of a relative listed in (#1) above.
 5. Attendance of not longer than one (1) day at the employee's graduation or the attendance at the graduation of the employee's child or spouse.
 6. The marriage of an employee, up to three (3) consecutive days. The request for leave shall be submitted, in writing, to the principal/department head at least two (2) weeks before the first day of leave.

The Executive Committee shall be authorized to award up to two (2) additional days of sick/emergency leave for reasons listed above.

EXTENDED SICK LEAVE

The **School** Board shall permit employees to take up to ninety (90) days of extended sick leave in each six-year period of employment which may be used for ~~personal illness or illness of an immediate family member~~ **a medical necessity** at any time the employee has **no** remaining regular sick leave balance at the time the extended sick leave is set to begin. The initial six-year period of employment shall begin on August 15, 1999, for all *teachers* and *bus drivers* employed as of that date, on August 15, 2008, for *school employees* (not a teacher or whose employment does not require a teacher's certificate, or who is not employed as a bus driver) employed as of that date, or on the effective date of employment for those employees employed after the dates above. ~~Immediate family member means a spouse, parent, or child of the employee.~~ **All decisions, relative to the granting of extended sick leave, shall be made by the Superintendent.**

Medical necessity shall be the result of a catastrophic illness or injury, which means a life-threatening, chronic, or incapacitating condition of the employee or a member of his/her immediate family. Immediate family member shall mean a spouse, parent, or child of the employee.

Each teacher granted maternity leave in accordance with state law who has no remaining sick leave days available may also be granted up to thirty (30) days of extended sick leave in each six-year period of employment for personal illness related to the purpose for which the maternity leave was granted.

Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment. The balance of days of extended sick leave available shall transfer with the employee from one public school employer to another without loss or restoration of days.

Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to the employee.

Any employee on extended sick leave shall be paid **sixty-five percent (65%)** of the salary paid the employee at the time the extended sick leave begins.

Gainful Employment Permitted

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

1. The employee can demonstrate that he/she will be working not more than twenty (20) hours a week in a part-time job that the employee has been working for not less than one hundred twenty (120) days prior to the beginning of any period of extended sick leave.
2. The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended sick leave is required.

Any violation of the provisions regarding gainful employment may require the employee to return to the Board all compensation paid during any week of extended sick leave in which the employee worked more than twenty (20) hours and to reimburse the Board all related employment costs attributable to such period as calculated by the Board, without any restoration of leave days.

Application Process

On every occasion ~~when~~ **that** an employee uses extended sick leave, a statement from a licensed physician certifying that ~~the leave~~ **it is a medically necessary medical necessity** for the employee ~~or that the immediate family member's illness is serious and requires the presence of the employee to be absent for at least ten (10) consecutive work days~~ shall be presented prior to extended sick leave being taken, ~~whenever possible~~.

The required physician's statement may be presented along with the request for extended sick leave subsequent to the **teacher's or school** employee's return to service. In such a case, the extended sick leave shall be granted for all days for which extended sick leave is requested, provided the request and required documentation are presented within three (3) days after the **teacher or school** employee returns to service. ~~The School Board,~~ However, **the Superintendent** reserves the right to question the validity of the medical certification after the three-day period.

If the period an employee is on extended sick leave is anticipated to carry over from one school year to the start of the next school year, another application and physician's statement ~~must~~ **shall** be submitted prior to the start of the next school year in order to be eligible for **continued** extended sick leave.

- 1) ~~If the Board,~~ Upon review of the application, **if** questions **about** the validity or accuracy of the certification **arise**, the ~~Board~~ **Superintendent** may require the employee, or the immediate family

member, as a condition for continued extended sick leave, to be examined by a licensed physician selected by the ~~Board~~ **Superintendent**. In such case, the Board shall pay all costs of the examination and any tests determined to be necessary. If the physician ~~selected by the Board~~ finds medical necessity, the leave shall be granted.

- 2) If the ~~Board~~ selected physician disagrees with the original medical certification from the physician selected by the employee, then the ~~Board~~ **Superintendent** may require the employee, or immediate family member, as a condition for continued extension of sick leave, to be examined by a *third* licensed physician, whose name appears next in the rotation of physicians on a list established by the local medical society and maintained by the Board. All costs of an examination and any required tests by a third doctor shall be paid by the Board. The final determination of medical necessity shall be based on the opinion of the third physician.
- 3) The opinion of *all* physicians consulted in determining medical necessity of the extended sick leave shall be submitted ~~to the Board~~ in the form of a **sworn statement**. All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law.

SICK LEAVE FOR ASSAULT OR BATTERY

Any employee of the public schools who is injured and disabled while acting in his/her official capacity as a result of an assault or battery by any student or person shall receive sick leave without reduction in pay, and without reduction in accrued sick leave days while disabled as a result of such assault and battery. The employee shall be required to provide a certificate from a physician certifying such injury and incapacitation. The sick leave authorized shall be in addition to all other sick leave authorized herein, shall not be accumulated from year to year, nor shall such additional sick leave be compensated for at death or retirement, or compensated for in any manner except as set forth above.

SICK LEAVE FOR PHYSICAL CONTACT WITH A STUDENT

Any *teacher* who is injured or disabled while acting in his/her official capacity as a result of physical contact with a student while providing physical assistance to a student to prevent danger or risk of injury to the student, shall receive sick leave for a period of up to one (1) calendar year without reduction in pay and without reduction in accrued sick leave days while injured or disabled as a result of rendering such assistance. Any *school employee*, but not a bus operator, injured or disabled in a similar manner shall receive up to ninety (90) days of such sick leave. The teacher or employee shall be required to present a certificate from a physician certifying such injury or disability. The Board may extend the period of sick leave beyond the allowable period at its discretion.

If the School Board questions the validity or accuracy of the physician's certification submitted by a *teacher*, the School Board may require the *teacher* to be examined by a licensed physician selected by the Board. Any further review of medical certification shall proceed in the same manner as requests for extended sick leave, which is outlined under *Application Process* above. The Board shall pay all costs of any examinations and tests determined to be necessary.

SICK LEAVE/WORKERS' COMPENSATION

Should any *teacher* become injured or disabled while acting in his/her official capacity, other than by assault, the teacher shall be entitled to appropriate worker's compensation benefits and/or sick leave benefits, at the teacher's option, for the period of time while injured or disabled. Any benefits received, however, shall not exceed the total amount of the regular salary the teacher was receiving at the time of injury or disability. The teacher shall be required to present a certificate from a physician certifying such injury or incapacitation.

VESTING OF SICK LEAVE

All sick leave accumulated by a *teacher* or *school employee*, but *not a bus operator*, shall be vested in the teacher or school employee by whom such leave has been accumulated. In the event of the transfer of a teacher or school employee from one school system to another in Louisiana, or upon the return of such teacher or school employee to the same school system within five (5) years or such longer period that may be approved by the Board to which the teacher or school employee returned, regardless of the dates on which the leave was accumulated or the date of transfer or return of the teacher or school employee, such vested leave which remains unused or for which the employee has not been compensated directly or transferred such days for retirement credit, shall be transferred, returned to, or continued by the Board and shall be retained to the credit of the teacher or school employee.

REPORTING OF SICK AND EMERGENCY LEAVE ABSENCES

1. An employee who is absent because of personal illness or an emergency is required to sign the absentee form provided by the Superintendent, indicating the dates and causes of all absences, and to deliver the completed form to the principal/supervisor at the end of each work week.

The principal/supervisor is authorized to enter the required information and sign for the absentee provided the absentee is not available and cannot be reached before the appointed time for transmitting the reports to the personnel office. Upon completion of the absentee form, a duplicate copy of said form shall be made available to the employee who was reported absent by the appropriate principal/supervisor.

2. When an employee is absent for six (6) or more consecutive days because of personal illness, he/she shall be required to present a certificate from a physician certifying such illness.

*If the absence falls within the current ten (10) days allowed or if the absence is to be charged to the accrued days of absence, a statement from the attending physician must be attached to the absence from the first absence and any absence thereafter in a school year.

This regulation will be invoked only if there is an employee job action which would involve the loss of time from the job by employee. The original policy will remain in effect unless it is necessary to administratively invoke this regulation.

3. An employee who, because of personal illness or an emergency,

expects to be absent for more than ten (10) consecutive days, shall immediately notify the Superintendent, in writing, stating the reason for the absence and the probable duration thereof.

4. The principal/supervisor shall report all employee absences to the Superintendent, with full explanation of the reason for the absence, on appropriate forms furnished. Decisions of the Executive Committee will be subject to ratification by the Board at the first meeting of the Board following the committee meeting.
5. An employee who is absent because of personal illness or an emergency should notify his/her principal/department head at the earliest possible time as to the date on which he/she expects to resume his/her duties.

DEFERRED RETIREMENT OPTION PROGRAM (DROP)

Any employee of the Terrebonne Parish School Board who participates in the *Deferred Retirement Option Program (DROP)* shall be eligible for and may elect to receive on a one-time basis severance pay [accrued sick leave up to a maximum of twenty-five (25) days] upon entering DROP on the same basis as any other employee who retires or otherwise leaves employment; otherwise, any accrued sick leave shall be paid only upon final retirement of the employee.

Revised: July 1996

Revised: December 1999

Revised: September 2001

Revised: December 2004

Revised: January 2009

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§14:125, 17:425, 17:425.1, 17:500, 17:500.1, **17:500.2**, 17:1200, 17:1201, 17:1202, 17:1205, 17:1206, 17:1206.1, 17:1206.2; Board minutes, 7-16-96, 10-19-99, 12-14-99, 9-18-01, 6-15-04, 12-21-04, 1-20-09.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-11.4b Sick Leave Donations **Bank**.

RECOMMENDATION NO. 22

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-11.4b Sick Leave Donations **Bank**:

FILE: F-11-4b
Cf: F-9.16, F-11.4

SICK LEAVE DONATIONS BANK

The Terrebonne Parish School Board recognizes that major illnesses and catastrophic injuries may warrant the need for additional sick leave days. ~~The sick leave donation option provides a means for Board employees to donate additional sick leave days to a colleague's sick leave account as a result of a serious illness or injury to the employee or employee's immediate family (spouse, children, parents, and siblings).~~ **The Board shall create and maintain a Sick Leave Bank which provides an opportunity for employees to donate sick leave days, which in turn may be used by employees in emergency situations when their own sick leave days have been exhausted.**

~~A serious illness or injury is defined as a "non-work related" illness that is anticipated to last for a continuous period of time of two (2) or more weeks as verified by a licensed medical physician. Ordinarily, childbirth is not considered a serious illness.~~

Donations of sick leave days shall be made to the Sick Leave Bank and not directly to individual employees, shall be made by notarized Acts of Donation, and shall be made in accordance with other provisions of this policy. Once executed, any donation made shall be irrevocable.

Receipt of sick leave days from the Sick Leave Bank shall be based on a written application submitted by an employee to the Superintendent and/or his/her designee. Assessment and any decisions regarding the granting of days from the Sick Leave Bank shall be the responsibility of the Superintendent. His/her decisions shall be final, and such decisions shall not be subject to review by the School Board or subject to the Board's grievance procedures.

ADMINISTRATION OF SICK LEAVE BANK

Donations of sick leave days shall be made directly to the Sick Leave Bank. Three (3) separate accounts shall be established within the Sick Leave Bank: one for teachers, one for bus operators, and one for school employees. Donations to the Sick Leave Bank shall be credited to the appropriate account depending on the classification of the donor.

Applications for receipt of donated sick leave days from the Sick Leave Bank shall be in writing and include a statement from a licensed physician certifying a medical necessity for the employee to be absent from work. The application shall be submitted at least thirty (30) work days prior to the anticipated beginning date of leave. In cases of extenuating circumstances, the Superintendent may waive or alter the application deadline. Upon review of the applications, if questions about the validity or accuracy of the certification arise, the Superintendent may require additional medical certification as outlined under *Extended Sick Leave* in policy, *F-11.4 Sick Leave*.

Medical necessity shall be the result of a catastrophic illness or injury, which means a life-threatening, chronic, or incapacitating condition of the employee or a member of his/her immediate family. Immediate family member shall mean a spouse, parent, or child of the employee.

All records generated in the administration of the Sick Leave Bank, as well as the confidentiality of applicable records, shall be properly maintained by the Superintendent and staff in accordance with statutory provisions.

Donor Eligibility of Sick/Emergency Leave Bank Days

1. Only employees with thirty (30) days or more of accrued leave from previous years may donate from that account. An employee with less than thirty (30) days of accumulated sick leave cannot donate any sick leave days.
2. **Employees who wish to donate accrued sick leave days shall have been actively employed by the School Board for a period of thirty-six (36) consecutive months as of the date of the intended donation.**

3. Employees may donate sick leave days for the current year only. A maximum of ten (10) days may be donated. In the event of extenuating circumstances, more days may be donated with the approval of the Supervisor of Personnel. **An individual may make only one (1) donation in a fiscal year.**
4. Sick leave, once donated and used, is permanently removed from the donor's account.
5. ~~In the event the recipient returns to work prior to receiving the donation, the sick days will be returned to the donor.~~
- 5. Employees wishing to donate sick leave shall complete the appropriate Act of Donation Form. The donation shall irrevocably relinquish all future claims and rights to such donated sick leave. The days donated shall be permanently deducted from the total number of accumulated sick leave days the employee has on the date the donation is approved.**
- 6. All donations shall be strictly voluntary.**
- 7. No transfer shall become valid until all forms, verifications and signatures have been completed and signed by the Superintendent.**
- 8. All donations shall be in units of whole days; no fractional days may be donated.**

Receipt Eligibility of Sick/Emergency Leave **Bank** Days

- ~~1. Employees may use donated sick leave only for catastrophic illness or injury to an employee or an employee's family.~~
1. No employee may seek donations until appropriate documentation of eligibility has been received.
2. In order to receive donated leave, the employee be employed as a full-time employee in Terrebonne Parish **and shall have been employed by the School Board for at least thirty-six (36) consecutive months as of the date of the intended usage.** ~~In addition, the employee must have exhausted all current and accrued sick leave earned since employed in the Terrebonne Parish School System.~~
3. ~~Those employees who receive annual leave must also exhaust all annual leave before becoming eligible for donated leave.~~ **Employees who are recipients shall have exhausted all current and accumulated sick leave and have used all days of extended sick leave and any other applicable leave to which the employee may be entitled. In addition, those employees who receive annual leave shall have exhausted all annual leave time before becoming eligible to receive sick leave days from the Sick Leave Bank.**
4. Individuals are not eligible for the program once they qualify for Worker's Compensation, disability retirement, and/or any other disability benefits.
5. The maximum number of sick leave days that can be granted **to any one employee,** in any one fiscal year, shall be **ten (10)** ~~the remaining number of work days an employee is scheduled to work. If more days are donated than are approved on the request form, the personnel~~

~~supervisor shall hold the donation until it becomes known that the employee does not need more days to cover this illness/injury.~~

6. Any unused days granted that remain at the end of the fiscal year shall be returned to the Sick Leave Bank.

Administration of Sick Leave

~~Upon exhaustion of the designated employee's sick leave account, donors shall be required to complete and submit the appropriate forms to the Supervisor of Personnel (or designee). The Personnel Office shall process all requests with the attached documentation:~~

- ~~1. A physician's statement verifying the illness and anticipated date of recovery for illness and/or injury.~~
- ~~2. Verification of availability of volunteered sick leave days in the donor's sick leave account.~~
- ~~3. The recipient's last day of accrued leave.~~
- ~~4. Sick Leave Donation/Waiver forms completed and signed by the employee donors and the employee (if possible).~~
- ~~5. Employee Absence Sheet completed and signed by the employee and administrator.~~
- ~~6. Sick leave days donated shall be used in the order they were received.~~

Miscellaneous Provisions

- 1. The Superintendent shall be authorized to make determinations and clarifications of these provisions. All determinations and clarifications made by the Superintendent shall be final.**
- 2. All transactions shall become part of the permanent personnel files of the employees. Act of Donation Forms shall be placed in donor personnel files depicting the actual number of days deducted from accrued sick leave days on file after the donation is made.**
- 3. The number of days withdrawn from the Sick Leave Bank shall not exceed the number of days available within the appropriate account of the Bank.**

October 1999

Revised: April 2001

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§17:81, 17:500.2, 17:1202, 17:1205, 17:1206.2, 17:1208, 17:1208.1; La. Civil Code, Art. 1541, 1542, 1833; Board minutes, 10-19-99, 4-24-01.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-12.3 Employee Investigations.

RECOMMENDATION NO. 23

The Committee recommends that the Board approve, as presented, the

following revised policy FILE: F-12.3 Employee Investigations:

FILE: F-12.3
Cf: F-8, F-12.8
Cf: H-3.5a, H-4.5

EMPLOYEE INVESTIGATIONS

GENERAL INVESTIGATIONS

~~In the event that a Terrebonne Parish School Board member or staff member believes a condition exists within the school system that warrants investigation by the staff, such person shall convey his/her~~ Concerns **about serious situations or conditions within the school system should be reported** to the Superintendent **or his/her designee**. Should the Superintendent determine that the situation/**condition** warrants investigation, he/she shall have the matter investigated by appointing appropriate staff personnel (one or more persons) to make the necessary inquiries. At the conclusion of their investigation, a report shall be prepared for submission to the Superintendent.

Any investigation undertaken in the school system shall be conducted in accordance with the following stipulations:

1. No Board Member shall participate in any manner in an investigation.
2. The Superintendent shall use every means possible to protect School Board personnel from unwarranted personal criticism.

In any investigation into incidents involving accidents or injuries to students or employees, or involving student misconduct, or the competence, honesty or performance of duties of ~~Board~~ employees, all employees of the Terrebonne Parish School Board shall, upon reasonable request by the Superintendent or his/her designee, give a statement of the facts and circumstances within the employee's knowledge, or an accounting of the employee's conduct concerning the circumstances which are the subject of the investigation or are related to the matter being investigated.

If deemed appropriate by the Superintendent or his/her designee in the conduct of such investigation, employees ~~of the Terrebonne Parish School Board~~ shall, upon reasonable notification, appear at the offices of the Superintendent or at such other suitable location within the parish as might be appropriate and convenient in the investigation.

During any such employee interview, the employee may have legal representation, if desired by the employee, but said representation shall be at no cost to the Terrebonne Parish School Board.

PUBLIC ANNOUNCEMENT OF EMPLOYEE DISCIPLINE

The Terrebonne Parish School Board, in accordance with state law, shall provide for an investigation of an employee, in cases where the Board has made a public announcement that an employee may be disciplined, whether or not there is an accompanying reduction in pay. The investigation shall proceed as outlined below under *Reporting Procedures*. Not later than thirty (30) days after the conclusion of the investigation and prior to any ~~Board~~ **disciplinary** action ~~to implement such disciplinary action~~, the employee may appear, if he/she so determines, before the School Board in open session and be given a reasonable time, as determined by

the Board, to comment on the investigation and any actions taken or proposed to be taken involving the employee.

These provisions shall not be applicable to any reduction ~~in force~~ **of personnel** initiated by the Board **Superintendent**.

IMPERMISSIBLE CORPORAL PUNISHMENT OR MORAL OFFENSES

If an employee is accused of impermissible corporal punishment, or of a moral offense involving a student, a prompt, thorough investigation shall be conducted by the Superintendent or designee. The investigation shall proceed as outlined below under *Reporting Procedures*. A written report of the results of the investigation shall be prepared, and the employee shall be provided with a copy of such report. The Superintendent may promulgate such administrative regulations as he/she deems necessary to implement this policy. Any employee found to have violated the provisions of Board policy shall be disciplined by such means as appropriate to the incident, including reprimand, suspension, termination, and/or referral to the local child protection agency/law enforcement.

If the allegation falls within the definition of *abuse* as defined in Board policy *JGCE, Child Abuse*, then all school employees with knowledge of such incidents become *mandatory reporters* and the allegations must be reported to child protection or law enforcement as provided by state law and Board policy. Such reporting shall be made and applied in conjunction with the procedures outlined in this policy.

REPORTING PROCEDURES

Notwithstanding any statute or other Board policy, any complaint relative to employee conduct shall be handled as follows:

- (1) The Superintendent or his/her designee may order such investigation to be conducted in each instance as is warranted by the circumstances.
- (2) The investigation shall be conducted by the Superintendent or his/her designee. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint. Staff members or students may be interviewed if it is deemed essential to the investigation.
- (3) The Superintendent or his/her designee shall confer with each accused employee's immediate supervisor concerning the results of the investigation and the immediate supervisor shall discuss the matter with the employee.
- (4) A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Superintendent or designee and a copy forwarded to the complainant no later than (30) days after its filing.
- (5) If charges are founded **substantiated**, ~~the Superintendent shall recommend proper disciplinary action to the School Board~~ **may be taken in accordance with Board policy**, based upon investigative evidence gathered, which may include termination of employment of the employee. Any disciplinary action shall be placed in the offender's personnel file which will reflect the action taken and the

grounds thereof.

Revised: November 2006

Revised: November 2009

Revised: November 2012

Ref: La. Rev. Stat. Ann. §§14:403, 17:81, 17:81.6, 17:81.8; Board minutes, 11-01-06, 11-17-09.

Dr. Yarbrough presented revisions, according to recent legislation, to policy FILE: F-13.2 Substitute Personnel Non-Instructional/Support Personnel.

RECOMMENDATION NO. 24

The Committee recommends that the Board approve, as presented, the following revised policy FILE: F-13.2 Substitute Personnel Non-Instructional/Support Personnel:

FILE: F-13.2
Cf: F-10.1, F-10.2

SUBSTITUTE PERSONNEL NON-INSTRUCTIONAL/SUPPORT PERSONNEL

The **Terrebonne Parish School** Board requires the maintenance of a list of properly qualified and approved substitute personnel eligible to substitute for non-certified school employees absent from work. Appropriate administrative judgment as to actual need shall be exercised before employment of a substitute for non-certified school employees.

BUS OPERATORS

~~Whenever a vacancy occurs on a school bus route due to death, resignation, retirement, or the expiration of the regular bus operator's approved leave or a new route is established, the route shall be filled with a regular school bus operator as provided by law no later than the following school year unless the route is consolidated or eliminated. A substitute bus operator may only be used as a temporary measure **resource** until a permanent operator can be appointed to a route. A substitute operator may not drive a route for a period that exceeds the end of the school year during which the operator began driving the route. If a regular operator cannot be found to fill the route in accordance with state law, a regular bus operator serving a probationary term in accordance with state law shall be appointed to the vacant route. If an operator is on approved leave (with the exception of a leave without pay), his/her route shall not be considered a vacant route. A substitute shall be used to drive a route for an operator on approved leave regardless of the length of time of the approved leave.~~

SUBSTITUTE PAY

~~Bus Operators— A substitute bus operator shall be paid a daily rate as approved by the Board, but in no case less than sixty-five percent (65%) of the daily rate of pay being paid the regular bus operator to be computed by dividing the annual pay of the regular operator by the number of school days in the regularly scheduled session, exclusive of any compensation or mileage allowance for use of a privately owned bus. Any time a substitute bus operator has been driving a route for more than ninety (90) consecutive days, the Superintendent or designee shall review the circumstances of the regular operator to be certain that the continued use of a substitute~~

~~operator is warranted and appropriate.~~

~~School Employees—A substitute school employee shall be paid a daily rate as approved by the Board, but in no case more than sixty-five percent (65%) of the daily rate of pay for the beginning level of the salary schedule, corresponding to the classification of the regular school employee.~~

FOOD SERVICE TECHNICIANS

The food service technician shall not be required to replace absent food service technicians at another site unless a substitute cannot be hired.

Revised: October 1998

Revised: November 2012

Revised: July 2007

Ref: La. Rev. Stat. Ann. §§17:81, 17:493.1, 17:500, ~~17:1207~~; Board minutes 3-5-91, 10-20-98, 7-17-07.

At this time, the Committee returned to the regular order of the agenda, in which Mrs. Benoit discussed the need for revising policy to require parents to submit all necessary paperwork required for the student's re-admittance to the Office of Child Welfare and Attendance, before the request is placed on a School Board agenda. A general discussion ensued, in which Dr. Babin offered the following motion:

RECOMMENDATION NO. 25

The Committee recommends that the Board have staff review and revise policy FILE: H-3.1 Due Process to include "the right to an appeal to the Board" and report back to Committee.

There being no further business to come before the **Education and Policy Committee**, the meeting adjourned at 6:25 P.M.

Respectfully submitted,

Richard Jackson, Chairman

Brenda Leroux Babin, Vice-Chairman

Donald Duplantis

DC

Motion of Mr. DeHart, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revisions to Policy (FILE: A-4 Powers and Duties).

Motion of Mr. Bordelon, seconded by Mr. Thomas, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revisions to Policy (FILE: B-13 **School Board** Policy).

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-4 Grievances).

Motion of Mr. DeHart, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9 Professional Personnel).

Motion of Mr. Badeaux, seconded by Mr. Bordelon, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9.1 Compensation) and the 2013-2014 Teacher Salary Schedule.

Motion of Mr. Harding, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9.9 Evaluation of Personnel).

Motion of Mr. DeHart, seconded by Mr. Bordelon, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9.11 Promotions).

Motion of Mr. Thomas, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9.13 Transfer).

Motion of Mr. DeHart, seconded by Mr. Bordelon, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9.14a Reduction in Force).

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9.15 Resignation).

Motion of Mr. Harding, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-9.17 Employee Discipline).

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board approved, as presented and outlined in the foregoing report, the deletion of Policy (FILE: F-9.17a Suspension) from the Policy Manual.

Motion of Mr. Harding, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-10 Non-Instructional/Support Personnel).

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-10.1 Compensation Guides Non-Instructional/Support Personnel).

Motion of Mr. Bordelon, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-10.9 Evaluation Non-Instructional/Support Personnel).

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-10.10 Promotion of Non-Instructional/Support Personnel).

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-10.12 Transfer of Non-Instructional/Support Personnel).

Motion of Mr. Bordelon, seconded by Mr. Harding, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-10.18 **Discipline** Non-Instructional/Support Personnel).

Motion of Mr. DeHart, seconded by Mr. Bordelon, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-11 Leaves and Absences).

Motion of Mr. Bordelon, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-11.1 Sabbatical Leave).

Motion of Mr. Thomas, seconded by Mr. Badeaux, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-11.4 Sick Leave).

Mr. Kenneth Fountain, President, Terrebonne Association of Educators, addressed the Board regarding the foregoing motion.

Motion of Mr. Bordelon, seconded by Mr. Thomas, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-11.4b Sick Leave **Bank**).

Motion of Mr. DeHart, seconded by Mr. Bordelon, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-12.3 Employee Investigations).

Motion of Mr. Badeaux, seconded by Mr. Harding, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised Policy (FILE: F-13.2 Substitute Personnel Non-Instructional/Support Personnel).

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board directed that staff review and revise Policy (FILE: H-3.1 Due Process) to include "the right to an appeal to the Board" and report back to Committee.

The Education and Policy Committee report was concluded, and President Bordelon reassumed the Chair and presided for the remainder of the proceedings.

Motion of Mr. Thomas, seconded by Mr. Duplantis, unanimously carried, the Board requested that the 2012-2013 Consolidated Drive collection of **\$12,119.16** be distributed equally on a percent (%) basis to the list of participating organizations, as per Board action of July 3, 2012, and further authorized the distribution of the Consolidated Drive collections.

At this time, Superintendent Philip Martin presented the following personnel actions for the period of October 11, 2012, through November 14, 2012 [list of professional instructional and non-instructional/support personnel (appointments, resignations, and retirements – Information Only)]:

New Employees – Professional Instructional Personnel

Donetta Levron, Pre-Kindergarten Teacher, Certified, Coteau-Bayou Blue Elementary - Karley Seay, Resigned, 10/11/12

Leah English, 8th Grade Teacher, Certified-Health & PE, Evergreen Junior High - Vacant Position, 10/15/12

Suzanne Robichaux, Pre-Kindergarten Teacher, Certified, Pointe-Aux-Chenes Elementary - Debra Guidry, Retired, 11/01/12

Deborah Jones, Mild Moderate-Inclusion, Certified, West Park Elementary - Vacant Position, 11/05/12

New Employees – Non-Instructional Personnel

Leslie Breaux, Bus Driver, Transportation Department - Linda Foret, Resigned, 10/23/12

Melvin Calloway, Bus Driver, Transportation Department - Marvin Hampton, Resigned, 10/19/12

Betsy Lowther, Bus Driver, Transportation Department - Paul Tardiff, Resigned, 10/25/12

Loretta Markcum, Bus Driver, Transportation Department - Theresa Dupre, Resigned, 10/24/12

Susie Scott, Bus Driver, Transportation Department - Crystal Batiste, Resigned, 10/22/12

Resignations – Professional Instructional Personnel

Steffany Chaisson, Math Teacher, H. L. Bourgeois High - Resigned, 11/02/12

Mary Martens, 7th Grade Teacher, Evergreen Junior High - Resigned, 10/12/12

Shannon Porche, Elementary Librarian, Southdown Elementary - Resigned, 10/12/12

Christy Scott, Kindergarten Teacher, Lisa Park Elementary - Resigned, 10/26/12

Resignations – Non-Instructional Personnel

Harriet Comeaux, Sp Ed Non Cat Pre-School Para, Lisa Park Elementary - Resigned, 10/26/12

Paul Tardiff, Bus Driver, Transportation Department - Resigned, 10/11/12

At this time, the Board recognized the following employees who recently retired:

Retirements - Professional Instructional Personnel

Kendra Eschete, Elementary Librarian, Lisa Park Elementary - Service Retirement, 20.75 Years, 11/03/12

Debra Guidry, Pre-Kindergarten Teacher, Pointe-Aux-Chenes Elementary - Service Retirement, 28.10 Years, 11/01/12

Deborah Picou, NonCat–Preschool Teacher, Southdown Elementary - Service Retirement, 37.20 Years, 10/27/12

Margaret Templet, Education Technology Facilitator, Central Office - Service Retirement, 35.40 Years, 11/10/12

Retirements – Non-Instructional Personnel

Sheila Bourgeois, School Food Service Technician, Grand Caillou Elementary - Disability Retirement, 12.03 Years, 10/12/12

Dorothy McNamara, Bus Driver, Transportation Department - Service Retirement, 27.30 Years, 10/27/12

Motion of Mr. Duplantis, seconded by Mr. DeHart, unanimously carried, the Board approved a family and medical leave in accordance with Policy (FILE: F-11.4a) for Sunny Ockman, Teacher at Schriever Elementary School, beginning December 12, 2012, through April 1, 2013 (care for newborn).

Motion of Mr. Duplantis, seconded by Mr. Badeaux, unanimously carried, the Board approved a sabbatical leave of absence in accordance with Policy (FILE: F-11.1) for Ramona Kimble, Pre-Kindergarten Teacher at Acadian Elementary School, for the Spring semester of the 2012-2013 school session (medical).

Dr. Debra Yarbrough, Supervisor of Personnel, addressed the Board regarding the foregoing motion.

Motion of Mr. Badeaux, seconded by Mr. DeHart, unanimously carried, the Board approved and ratified the 2013-2014 School Calendar with the school year beginning August 5, 2013 (for employees)/August 8, 2013 (for students), and ending May 26, 2014, with the following holidays to be observed during the school session: Labor Day, September 2, 2013; Fall Break, October 11-14, 2013; Thanksgiving, November 25-29, 2013; Christmas, December 23, 2013 -January 3, 2014 (Elementary-Middle Teacher Conference/Secondary Records Day is January 3, 2014, and students return on January 6, 2014); Dr. Martin Luther King's Birthday (observance), January 20, 2014; Mardi Gras, March 3-7, 2014; and Easter/Spring Break, April 18-25, 2014 (Make-up days, **if needed**, will be October 11, October 14, and November 25, 2013); students' last day will be May 23, 2014, and teachers' last day will be May 26, 2014.

Motion of Mr. Duplantis, seconded by Mr. Badeaux, unanimously carried, the Board voted to adjourn its meeting **(7:40 P.M.)**.

/s/ Philip Martin, Secretary

/s/ L. P. Bordelon, III, President

RLB