

EMPLOYMENT OF PERSONNEL

The East Baton Rouge Parish School Board and its administrative staff believe that it has an obligation to provide the children attending its schools with the very best personnel available regardless of race, color, creed, sex, age, national origin or any similar personal characteristic or affiliation with any teacher union or association. Age shall be considered only with respect to minimums set by law.

The Superintendent or designee shall be responsible for establishing and maintaining appropriate procedures for reviewing and evaluating applicants for selection, including administrative and supervisory personnel, and assuring adherence to applicable state and federal legal requirements. Selection of personnel shall be made on a non-discriminatory basis with selection procedures and evaluative criteria known to all applicants. Applicants should not resort to the use of political, social, or other pressures to gain employment or promotion.

The School Board shall select teachers and all other personnel from recommendations made by the Superintendent. It shall be the responsibility of the Superintendent to ensure that all persons recommended have proper certification where applicable and are qualified for the position. Nothing shall prevent the School Board from rejecting the recommendation made by the Superintendent and requiring the Superintendent to submit additional recommendations.

PERSONNEL CHANGES

Employment of personnel is based on recommendations of the Superintendent to the Board. The Superintendent has the right and duty to make the personnel recommendations that will best serve the needs of the school system. The Superintendent also has the right and duty to withdraw recommendations if it is appropriate to do so. If the Superintendent withdraws a personnel recommendation, which has been contained in personnel changes and then, at a later point, makes the same recommendation to the Board, no School Board member shall approach the Superintendent to withdraw that recommendation. The recommendation can be withdrawn by the Superintendent on his/her own volition or by a majority vote of the Board.

CERTIFICATED PERSONNEL

The Superintendent and/or designee shall consult with the principal regarding any recommendations made by the Superintendent for hiring or placement of any teacher or other certificated personnel at the school at which the principal is employed. In addition, the Superintendent and/or designee shall consult with teachers regarding any recommendations made by the Superintendent for the hiring or placement of a principal at the school at which such teachers are employed.

The School Board shall require all teaching personnel employed by the district to possess those qualifications set forth by the Louisiana Board of Elementary and Secondary Education and by all applicable accrediting agencies. The School Board also recognizes that these qualifications, as well as qualifications for all positions, are set up to promote minimum standards. Therefore, it shall be the policy of the School Board to employ persons who exceed these minimum requirements, whenever possible.

Retiree Return To Work

It shall be the policy of the East Baton Rouge Parish School Board, to vest in its Superintendent or his or her designee the power to recommend candidates for rehire after the person has traditionally retired from the school system. The Superintendent or his or her designee may bring recommendations to the Board for approval for the rehire of a retiring administrator after the performance of the retiring applicant has been assessed and it is in the best interest of the Parish to rehire this individual.

BUS DRIVERS AND OTHER SUPPORT PERSONNEL

Bus Drivers

The School Board will only employ as school bus drivers those persons who have met all state and federal requirements for such position.

Whenever a school bus operator is needed to drive a new route or a route vacated by a previous operator, that school bus operator who is tenured and has acquired the greatest seniority shall be offered the opportunity to change from driving his/her route to the vacant route before another operator is selected. If the tenured bus operator with the greatest seniority chooses not to change to the vacant route, the route shall then be offered in order of seniority to the next school bus operator who has acquired tenure until the route is filled.

If no tenured bus operator chooses to change to the vacant route, the route shall then be offered to a full-time probationary bus operator.

If no regular bus operator, tenured or probationary, chooses to change to the vacant route, then a substitute bus operator shall be selected for the position from a list of approved substitute school bus operators. If no tenured, probationary, or substitute bus operator wants the route, then a new driver shall be hired.

In filling such a vacant route, the School Board may deviate from the procedure outlined above only if the School Board is required to bear an increase in the costs for non-passenger miles over those attributable to the previous bus operator who vacated the route.

Whenever a vacancy occurs on a route due to death, resignation, retirement, or the expiration of the regular operator's approved leave, or if a new route is established, the route shall be filled with a regular school bus operator using the process outlined above no later than the following school year unless the route is consolidated or eliminated.

If an operator is on approved leave, 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.

Other Support Personnel

Applicants shall be selected for support personnel positions based on such criteria as may be determined by the School Board. Unless covered under the teacher or bus driver tenure law or unless specifically covered by a written employment contract expressly entered into by the individual employee and the School Board, support personnel are subject to dismissal upon the written recommendation of the Superintendent. *Support personnel* shall mean any employee of the Board that is not required to hold a valid teacher's certificate as a condition of employment or is not a bus driver. All appointments shall be temporary until ability to perform assigned tasks has been determined.

DISCLOSURE OF INFORMATION BY APPLICANT

Prior to hiring any employee, the School Board shall request the applicant to sign a statement that requests and authorizes the release and disclosure of information by the applicant's current or previous employer, if such employer is a city, parish, or other local public school board, relative to all instances of *sexual misconduct with students* as defined by BESE regulations, as committed by the applicant, if any. The statement shall also request the current or previous employing School Board make available to the School Board, within twenty (20) business days of receipt of the request, copies of all documents as contained in the applicant's personnel file maintained by such employer relative to instances of sexual misconduct, if any. Such request for information shall include a copy of the required statement signed by the applicant.

The School Board may employ any applicant on a conditional basis pending the Board's review of any information obtained pursuant to this request. However, in accordance with statutory provisions, the School Board shall not hire any applicant who does not sign the statement as required by law.

Any information obtained by the School Board as a result of the statement and request outlined above shall be used by the Board *only* for the purpose of evaluating an applicant's qualifications for employment in the position for which he/she has applied.

In addition to the above, the applicant shall grant permission by signing a statement on the application form that permits the School Board to have access to any and all

reference, background, and previous employment information and to receive copies of any such documentation from a current or previous employer.

CRIMINAL HISTORY OF APPLICANTS

The East Baton Rouge Parish School Board shall require, in accordance with state law, applicants for employment with the School Board to submit necessary information regarding their backgrounds. A prospective employee shall be required to provide authorization for the disclosure of any information regarding past criminal activities, including arrests for, convictions of, or having pled *nolo contendere* to any criminal offense.

A standard applicant fingerprint card acceptable to the Louisiana Bureau of Criminal Identification and Information and a disclosure authorization form shall be provided the applicant by the School Board or may be obtained from local police authorities. It shall be the responsibility of the applicant to have his/her fingerprints taken by a qualified individual and submitted to the proper authorities for processing. Any cost associated with fingerprinting or the disclosure of background information on an applicant may be passed on to the applicant.

1. No person who has been convicted of or has plead *nolo contendere* to crimes listed in La. Rev. Stat. Ann. §15:587.1 shall be hired as a teacher, substitute teacher, bus driver, substitute bus driver, or janitor, or as a temporary, part-time, or permanent school employee of any kind, unless approved in writing by a district judge and the district attorney with jurisdiction in this parish, or if employed on an emergency basis, unless approved in writing by the Superintendent. Any such statement of approval shall be kept on file at all times at the location wherein the employee is assigned and shall be produced upon request by any law enforcement officer.
2. For the purposes of reviewing the criminal history of prospective employees, any person employed to provide cafeteria, transportation, janitorial or maintenance services by any person or entity that contracts with a school or school system to provide such services shall be considered to be hired by the school system.
3. Every such prospective employee shall be subjected to fingerprinting and each person's fingerprints shall be submitted to the proper authorities for a criminal history review.
4. A person who has submitted his/her fingerprints may be temporarily hired pending the results of the inquiry.
5. Upon the final conviction or upon a plea of *nolo contendere* of any crimes

enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74 (criminal neglect of family), any teacher may be dismissed following a hearing held in accordance with statutory provision.

6. Any other school employee if such employee is convicted of or pleads *nolo contendere* to crimes enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74, may be dismissed.
7. A teacher or any other School Board employee shall report any final conviction or plea of guilty or *nolo contendere* to any criminal offense to the School Board within forty-eight hours of conviction or plea.
8. The Board may reemploy a teacher or other school employee who has been convicted of crimes enumerated in La. Rev. Stat. Ann. §15:587.1, except La. Rev. Stat. Ann. §14:74, **only** upon written approval of a district judge and the district attorney who has jurisdiction in this school district, or upon written documentation from the court in which the conviction occurred stating that the conviction had been reversed, set aside, or vacated.

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Ref: La. Rev. Stat. Ann. §§11:710, 15:587, 15:587.1, 17:15, 17:81, 17:81.9, 23:897;
Board minutes, 1-3-05, 10-16-08.