

RECRUITMENT

The Evangeline Parish School Board shall make a concerted effort to employ the best employees available, and to assign such employees to positions, departments, levels or subject fields in which they have achieved full qualification or certification.

All recruitment shall be conducted in a manner free from overtly and/or inadvertently illegal discrimination. Regulations and/or procedures shall be consistent with policies adopted by the School Board and directives from the Superintendent. Responsibility for development of applicable regulations/procedures shall be a function of the Personnel Department.

When filling vacancies in positions of authority or those with policymaking duties, the School Board or any agent acting on behalf of the School Board shall not utilize only oral contacts and interviews of applicants considered, or use any other means to circumvent the provisions of this statute. Nothing, however, shall prohibit oral contact prior to a person becoming an applicant or shall prohibit oral contact which may result in a written application or other documents.

NEW TEACHERS

The Evangeline Parish School Board shall actively recruit, on a non-discriminatory basis, new teachers by attending recruitment day activities at accredited institutions of higher learning in Louisiana offering degrees in education. Recruitment efforts may also be conducted at selected accredited institutions of higher learning in other states where, in the judgment of the Superintendent or his/her designee, adequate funding is available for such efforts and there is reason to believe that sufficient numbers of education graduates may be found to justify attendance at such out of state recruitment day activities.

More specifically, in order to achieve the goals set out in the Board's affirmative action plan, recruiting activities for vacant positions shall proceed as follows:

1. The Evangeline Parish School Board shall post notices of vacancies for all professional positions for at least thirty (30) days before instituting the selection procedure.
2. Notices of vacancies for the thirty (30) days shall be disseminated as follows and shall include the minimum qualifications for the position and a statement that a copy of the full position description is available upon request at the School Board's Central Office:
 - A. Posted in the School Board Office.

- B. Transmitted in writing to each Evangeline Parish School Board school principal to be posted prominently in the school, maintaining records containing the name of the school and the dates and locations that the vacancy announcement was posted.
 - C. Announced in the local newspapers.
3. The Personnel Director shall contact the following universities and colleges at least annually to recruit instructional and coaching personnel: ULL, McNeese, LSU, Southern, Louisiana College, LSU-A, and Grambling. Said recruitment efforts shall be determined by the demand established under the Board's affirmative action goals.
 4. All advertising for personnel shall be done through the Personnel Office. Advertisements shall run in all local and area out-of-town newspapers.

APPLICATIONS

Applications submitted for any vacancy shall be retained by the Personnel Department for a period of not less than one (1) year.

In order to be considered for employment, applicants shall submit the following to the Personnel Director or his/her designee:

1. A completed formal application
2. A certified transcript of credits from the institution where graduated
3. A resumé
4. A copy of college diploma
5. Teaching Certificate and/or NTS Scores
6. Two (2) reference letters from place of last employment
7. Three (3) character references other than family members
8. A completed health questionnaire

Disclosure of Information by Applicant

Prior to hiring any employee, the School Board shall require the applicant to sign a statement that authorizes the release and disclosure of the following information by the applicant's current or previous employer(s):

1. All actual cases of sexual misconduct with a minor or student by the applicant.
2. All instances of sexual misconduct with students, as defined by the Louisiana Board of Elementary and Secondary Education (BESE), committed by the applicant, if any, if such employer is/was a city, parish,

or other local public School Board.

Adult sexual misconduct in schools, as defined by BESE for the purposes of disclosing information to the School Boards includes sexually inappropriate behavior by the adult that is directed at a student, including but not limited to sexually-related conversations, jokes, or questions directed at students. More specifically, *sexual misconduct* is:

- A. any conduct that would amount to sexual harassment under Title IX of the (U.S.) Education Amendments of 1972, as amended;
 - B. any conduct that would amount to a sexual offense affecting a minor under state criminal codes;
 - C. any sexual relationship by a school employee with a student, regardless of the student's age; with a former student under 18; with a former student (regardless of age) who suffers from a disability that would prevent consent in a relationship. All students enrolled in the school and in any organization in which the school employee holds a position of trust and responsibility are included;
 - D. any activity directed toward establishing a sexual relationship such as sending intimate letters, engaging in sexualized dialogue in person, via the Internet, in writing or by phone, making suggestive comments, dating a student.
3. All investigations of sexual misconduct by the applicant with a minor or student that occurred within thirty-six (36) months prior to the applicant's resignation, dismissal, or retirement from employment.
 4. All actual or investigated cases of abuse or neglect committed by the applicant, if any, if such employer is/was the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, or the Louisiana Special Education Center.

In accordance with the Louisiana Children's Code, Art. 603:

- A. *Abuse* means any one of the following acts which seriously endanger the physical, mental, or emotional health and safety of the child:
 1. The infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.

2. The exploitation or overwork of a child by a parent or any other person.
 3. The involvement of the child in any sexual act with a parent or any other person, or the aiding or toleration by the parent or the caretaker of the child's sexual involvement with any other person or of the child's involvement in pornographic displays, or any other involvement of a child in sexual activity constituting a crime under the laws of Louisiana.
- B. *Neglect* means the refusal or willful failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health is substantially threatened or impaired. *Neglect* includes parental neglect. Consistent with Louisiana Children's Code, Art. 606(B), the inability of a parent or caretaker to provide for a child due to inadequate financial resources shall not, for that reason alone, be considered neglect. Whenever, in lieu of medical care, a child is being provided treatment in accordance with the tenets of a well-recognized religious method of healing which has a reasonable, proven record of success, the child shall not, for that reason alone, be considered to be neglected or maltreated. However, nothing herein shall prohibit the court from ordering medical services for the child when there is substantial risk of harm to the child's health or welfare.

If an investigation determined that a formal allegation of an applicant was inconclusive, unjustified, or otherwise without cause for further formal pursuit, the applicant shall not be required to disclose such information.

The disclosure 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, is not subject to the state public records statutes, and shall not be disclosed to any person, other than the applicant, who is not directly involved in the process of evaluating the applicant's qualifications for employment.

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.

Disclosure of Applicant's Records

The name of each applicant for certain positions of authority or those with policymaking duties, the qualifications of such an applicant, and any relevant employment history or experience of such an applicant shall be available for public inspection, examination, copying, or reproduction as provided for in the statutory provisions governing public works.

CRIMINAL HISTORY OF APPLICANTS

The Evangeline Parish School Board shall require, in accordance with state law, a volunteer or applicant for employment with the School Board to submit necessary information regarding their backgrounds. A volunteer or 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 in accordance with La. Rev. Stat. Ann. §15:587.

A standard applicant fingerprint card acceptable to the Louisiana Bureau of Criminal Identification and Information and a disclosure authorization form shall be provided the volunteer or applicant by the School Board or may be obtained from local police authorities. It shall be the responsibility of the volunteer or 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 a volunteer or 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, excluding traffic offenses, to the School Board within forty-eight (48) 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.

Ref: La. Rev. Stat. Ann. §§15:587, 15:587.1, 17:15, 17:24.2, 17:81, 17:81.9, 17:83, 17:430, 23:291, 44:4.1, 44:12.1, 44:31, 44:31.1, 44:32, 44:33, 44:34; Graham v. Evangeline Parish School Board, 484 F.2d 649 (5th Cir. 1973); Board minutes, 8-3-79, 5-19-93, 9-15-93, 5-6-98, 1-23-02, 4-4-07.