

DISMISSAL OF EMPLOYEES

It shall be the policy of the Evangeline Parish School Board to strive to assist personnel in every way possible to adjust to their positions and to perform their duties satisfactorily. Every reasonable effort shall be made to avoid the necessity of dismissing personnel at any level.

With the exception of lay-offs caused by programmatic changes, budget cuts, staff reorganizations, and/or reductions in force, no School Board employee shall be dismissed except upon valid reasons. Any school employee shall be dismissed by the Board, in accordance with statutory provisions, upon final conviction or pleading *nolo contendere* of certain crimes enumerated in La. Rev. Stat. Ann. §15:587.1 and/or any other felony.

CERTIFICATED EMPLOYEES

A permanent teacher shall not be removed from his/her position except upon written and signed charges of willful neglect of duty, or incompetency, dishonesty, or immorality, or of being a member of or contributing to any group, organization, movement, or corporation that is by law or injunction prohibited from operating in the state of Louisiana, and then only if found guilty after a hearing by the School Board by a *majority of the Board's membership*.

The Board, if it decides to proceed upon the charges, shall notify the tenured teacher in writing at least twenty (20) days prior to the hearing, stating the charges brought against him/her, and shall arrange for a hearing to be held in accordance with due process provisions of the law, such hearing to be public or private at the option of the tenured teacher.

During the probationary term of an employee of the school district, the Board may dismiss an employee upon the written recommendation of the Superintendent; said recommendation to include valid reasons for the dismissal.

Performance Contracts

Professional personnel who have entered into employment contracts with the Board may be removed from employment upon being found incompetent, inefficient, or failing to fulfill the terms and performance objectives of his/her contract during the term of his contract. Notification of termination of an employment contract shall be in accordance with terms of the contract and applicable state law. Any person so removed shall be entitled to written charges, notice of hearings, and a fair hearing before the Board. If the person so removed had previously acquired tenure, then upon removal or non-renewal of contract, he/she shall be returned to his/her former position or one of equal salary as his/her former position, unless the employee chooses to terminate his/her

employment.

SUPPORT PERSONNEL

With the exception of lay-offs caused by programmatic changes, budget cuts, staff reorganizations, and/or reductions in force, no employee of the Evangeline Parish School Board shall be dismissed without Board approval.

Bus Operators

During his/her probationary term, a bus operator may be dismissed by the Board upon the Superintendent's written recommendation, accompanied by valid reasons therefore.

Any school bus operator found unsatisfactory by the School Board at the expiration of his/her probationary term shall be notified in writing that he/she has been discharged or dismissed.

A permanent school bus operator shall not be removed from his/her position except upon written and signed charges of willful neglect of duty, or incompetence, or immorality, or drunkenness while on duty, or physical disability to perform his/her duties, or failure to keep his/her transfer equipment in a safe, comfortable, and practical operating condition, or of being a member of or contributing to any group, organization, movement, or corporation that is prohibited by law or injunction from operating in the state, and then only if found guilty after a hearing by the School Board by a majority of the Board's membership. An additional ground for the removal from office of any permanent school bus operator shall be the abolition, discontinuance, or consolidation of routes, but then only if it is found as a fact, after a hearing by the School Board, that it is in the best interests of the school system to abolish, discontinue, or consolidate said route or routes.

All hearings shall be private or public, at the option of the operator affected thereby. At least twenty (20) days in advance of the date of the hearing the Superintendent, with approval of the School Board, shall furnish the affected operator a copy of the written grounds on which said abolition, discontinuance, or consolidation of routes is sought. The operator affected shall have the right to appear before the Board with witnesses in his/her behalf and with counsel of his/her selection, all of whom shall be heard by the Board at said hearing.

If a permanent school bus operator is found guilty, the Superintendent shall furnish to the school bus operator a written statement of recommendation of removal or discipline, which shall include but not be limited to the exact reason, offense, or instance upon which the recommendation is based.

In the event that one or more school bus operators must be removed due to the abolition, discontinuance, or consolidation of routes, the principle of seniority shall

apply, so that the last school bus operator hired to serve within the school system to be affected shall be the first to be removed.

Support Employees Other Than Bus Operators

Dismissal of any non-tenured support school employee shall be accomplished in accordance with the following procedure:

1. Should the Superintendent determine that the dismissal of a non-tenured employee is warranted, he/she shall make a written recommendation of dismissal to the School Board. The recommendation shall outline the reasons thereof, and a copy of said recommendation shall be provided to the employee.
2. The School Board shall be asked to act upon the recommended dismissal at the next meeting following its receipt of such written recommendation.
3. Any employee whose dismissal is recommended may address the School Board prior to its vote on such recommendation but shall not be entitled to a hearing before the Board.

As used herein, *non-tenured employees* shall refer to those school employees who have not attained tenure, including, without limitation, janitors/custodians, teachers' aides, clerical employees, maintenance workers, and cafeteria workers.

If an employee leaves without resigning, after ten (10) days such action shall be considered willful neglect of duty and a recommendation shall be made by the Superintendent to the Board for dismissal of the employee.

Ref: La. Rev. Stat. Ann. §§15:587.1, 17:15, 17:81.5, 17:443, 17:444, 17:461, 17:462, 17:463, 17:493, 17:522, 17:523; Board minutes, 1-88, 4-3-91, 5-6-98, 9-5-06.