

INVESTIGATIONS

GENERAL INVESTIGATIONS

In the event that an Evangeline 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 to the Superintendent. Should the Superintendent determine that the situation 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 Evangeline 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 Evangeline 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 Evangeline Parish School Board.

PUBLIC ANNOUNCEMENT OF EMPLOYEE DISCIPLINE

The Evangeline 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

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 initiated by the Board.

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

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, the Superintendent shall recommend proper disciplinary action to the School Board, based upon investigative evidence gathered, which may include termination of employment of the employee. Any disciplinary action will be placed in the offender's personnel file which will reflect the action taken and the grounds thereof.

New policy: October, 2009

Ref: La. Rev. Stat. Ann. §§14:403, 17:81, 17:81.6, 17:81.8; Board minutes, 10-21-09.