

**TERREBONNE PARISH SCHOOL BOARD  
201 STADIUM DRIVE  
HOUMA, LOUISIANA 70360**

**School Board Meeting – August 20, 2013**

**Order of Business**

**7:00 P.M.**

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Minutes of School Board Meeting of August 6, 2013

**RECOMMENDATION:** That the Board approve the minutes of School Board Meeting of August 6, 2013, as recorded.

6. Matter Pertaining to Opening of Bids Received for an Oil, Gas, and Mineral Lease on the following Section 16 Lands:

**A. Section 16, Township 21 South, Range 17 East**

**RECOMMENDATION:** That the Board accept the bid received meeting all specifications from \_\_\_\_\_, for an oil, gas, and mineral lease on Section 16, Township 21 South, Range 17 East for \_\_\_\_\_ acres in the amount of \$\_\_\_\_\_ per acre, totaling \$\_\_\_\_\_ initial consideration and a ten percent (10%) fee in the amount of \$\_\_\_\_\_, with royalty to be \_\_\_\_\_ percent, subject to review by the Board's oil and gas consultant, the Board Attorney, and approval by the State Mineral Board, and further, authorize the Board President and Superintendent to sign any necessary documents pertaining thereto.

**B. Section 16, Township 21 South, Range 16 East**

**RECOMMENDATION:** That the Board accept the bid received meeting all specifications from \_\_\_\_\_, for an oil, gas, and mineral lease on Section 16, Township 21 South, Range 16 East for \_\_\_\_\_ acres in the amount of \$\_\_\_\_\_ per acre, totaling \$\_\_\_\_\_ initial consideration and a ten percent (10%) fee in the amount of \$\_\_\_\_\_, with royalty to be \_\_\_\_\_ percent, subject to review by the Board's oil and gas consultant, the Board Attorney, and approval by the State Mineral Board, and further, authorize the Board President and Superintendent to sign any necessary documents pertaining thereto.

7. Board Committee Meeting Reports

A. Education and Policy Committee (See Attached Committee Report of August 5, 2013, Meeting)

B. Buildings, Food Service, and Transportation Committee (See Attached Committee Report of August 12, 2013, Meeting)

8. Superintendent's Agenda

A. Agenda Items

(1) Matter Pertaining to the Retirement of The Judge Advocate General of U.S. Army, a Graduate of Terrebonne Parish Schools

**RECOMMENDATION:** That the Board adopt a resolution commending LTG Dana K. Chipman, The Judge Advocate General of the U.S. Army, the highest ranking lawyer in that service, upon his retirement. LTG Chipman graduated from H. L. Bourgeois High School in 1976.

(2) Personnel Section

- (a) Personnel Announcements and Introductions (Information Only)
  - 1) Assistant Principal, Elysian Fields School – Casannah Moses
  - 2) Assistant Principal, Village East School – Roneka Coleman
- (b) Personnel Actions for Period of July 11, 2013, through August 14, 2013 [list of professional instructional and non-instructional personnel (contract renewals, appointments, resignations, termination, and retirements – Information Only)]
- (c) Leave of Absence
  - 1) Family and Medical Leave

**RECOMMENDATION:** That the Board approve a family and medical leave in accordance with Policy (FILE: F-11.4a) for Penny Mitchell, Custodian II at Legion Park School, beginning August 26, 2013, through November 18, 2013 (medical).

- (3) Student Readmissions (Executive Session)
  - (a) Readmission of Student #128685
  - (b) Readmission of Student #116413
  - (c) Readmission of Student #144329

9. Announcements

**9/02** Labor Day Holiday

**9/03**  
7:00 Regular School Board Meeting

10. Adjournment

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Philip Martin, Superintendent  
Terrebonne Parish School Board  
P. O. Box 5097  
Houma, Louisiana 70361  
985-876-7400

**In accordance with the Americans with Disabilities Act, if you need special assistance, please contact Philip Martin, Superintendent, Terrebonne Parish School Board, at 985-876-7400, Ext. 220, describing the assistance that is necessary.**

RLB

**TERREBONNE PARISH SCHOOL BOARD  
P. O. BOX 5097  
HOUMA, LOUISIANA 70361**

August 20, 2013

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, August 5, 2013, with the following members present: Mr. Richard Jackson, Chairman, Mr. Donald Duplantis, Vice-Chairman, and Dr. Brenda Leroux Babin. 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.

Superintendent Martin presented revisions to policy FILE: F-11.2 Professional Leave.

**RECOMMENDATION NO. 1**

**The Committee recommends** that the Board adopt, as presented, the following revised policy FILE: F-11.2 Professional Leave:

**FILE: F-11.2**

**Cf: F-11.4**

**PROFESSIONAL LEAVE**

The Terrebonne Parish School Board recognizes the value of attending local, regional, national, and international educational/job-related meetings or earning advanced degrees in order to become exposed to new ideas and developments in various areas of public school education. Therefore, the Superintendent or designee may grant professional leave to ~~an employee wishing to~~ attend any educationally-related conference, meeting, convention, examination, or other appropriate functions if such attendance

is considered to be in the best interests of the School District. **Expenses shall be paid in accordance with travel reimbursement regulations.**

Application and notification to attend a conference or similar educational meeting shall be made in writing and approved as far in advance of the meeting as possible. The written request shall include dates, subject to be covered, and sponsoring agency.

### EDUCATIONAL ADVANCEMENT

Persons working on an advanced degree, who are required to take a comprehensive examination, or entrance examination, either oral or written, during the work day, shall be granted authorized absence from their regular duties, with full pay, for the day of the examination. Prior notification of the scheduled event must be given the employee's immediate supervisor.

Persons working on National Board Certification Standards who are required to take a comprehensive assessment during the work day shall be granted authorized absence for their regular duties, with full pay, for the day of the assessment. Prior notification of the scheduled event must be given to the employee's immediate supervisor.

Persons working toward an advance degree or toward certification shall be allowed appropriate time, up to a half-day, with full pay, to register for classes. The employee shall provide prior notice of date of registration, as well as verification of registration.

The purpose of absence must be given with at least a twenty-four (24) hour prior notice.

### EDUCATIONAL CONVENTIONS, CONFERENCES, AND MEETINGS

#### A. Parish Meetings

~~Employees shall attend in-service meetings in the Parish during the work day on the recommendation of the department head and as authorized by the Superintendent.~~

## ~~B. State Meetings~~

~~Employees shall be permitted to attend workshops and/or in-service meetings in the state during the work day with the recommendation of the principal/department head and the authorization of the Superintendent, provided such meetings are related to the performance of the employee's job assignment. Attendance shall be at no expense to the Board.~~

~~Employees who are members of a state, regional, national or international professional educational subject area organization who have been selected as delegates to attend conferences and meetings of that association may attend at their own expense. A maximum of three (3) days may be allowed upon the approval of a written request to the Superintendent.~~

## ~~C. National and International Meetings~~

~~An employee may be permitted to attend out-of-state recognized educational/job-related meetings. The application for authorization to attend an out-of-state meeting must be submitted in writing to the Superintendent, who in turn must submit the application, with his/her recommendation, to the Board for approval. The Board will defray the transportation and other expenses to and from the meeting place in accordance with travel expense reimbursement regulations if the application is approved.~~

~~An employee from the Parish will be permitted to attend a national or international educational or job-related meeting as a delegate or officer of the national educational organization. The delegate or officer and the meeting to be attended shall be named by his/her Parish association at a time set and in the manner prescribed by the local association. Expenses shall be paid in accordance with travel reimbursement regulations.~~

~~Because of a specific assignment an employee may be designated to attend an out-of-state recognized educational or job-related meeting other than as a delegate or officer. Upon written application to the~~

~~Superintendent giving evidence of exact assignment for the meeting, and subject to the approval of the Board, permission may be granted. Expenses shall be paid in accordance with travel expense reimbursement regulations.~~

~~Any employee who attends an out-of-state, Board approved, state, regional, national or international seminar, workshop, conference, convention, etc. is directed to personally share with the Board, by submitting in writing a report through the Education and Policy Committee, the information received by attending said event.~~

## NON-EDUCATIONAL/NON-JOB-RELATED MEETINGS

### Specific Assignment

- (1) Employees who request permission to accept a specific assignment at a non-educational/non-job-related conference, upon submission of proof of such assignment, may be granted a leave of absence, not to exceed three (3) days, under provisions of "Emergency Leave" to attend the meeting. Attendance beyond three (3) days will be charged to personal leave and/or leave of absence without pay with proper request.
- (2) Proof of such assignment must include a letter of verification from the non-educational organization stipulating the date, time, and description of the employee's responsibility at the conference.
- (3) Requests for attendance at non-educational meetings are to be submitted to the Superintendent for approval ~~and the recommendation must be presented to the full Board~~ thirty (30) days prior to the requested leave.

### Non-Specific Assignment

Employees who request permission to attend a non-educational conference and who do not have a specific assignment may be granted a leave of absence without pay for this purpose.



NOTE: The term *specific assignment* in the foregoing shall be construed to mean such activities or duties as an officer on a regional, national, or international level . . . recorder for group discussion; moderator or discussion leader; etc. It shall not include such duties as serving on registration, hospitality, welcoming committees or similar duties.

### LEAVE FOR STATE BOARD OR COMMISSION

Leave with pay shall be granted any school system employee who is an elected member of the Board of Trustees of the Teachers' Retirement System of Louisiana or the Louisiana School Employees' Retirement System, an elected or appointed member of the Louisiana Board of Elementary and Secondary Education (BESE), or an appointed member of any task force, commission, or other advisory body established by BESE so that such employee may attend meetings of the entity and any committees thereof on which the employee serves.

The School Board shall require any employee who may serve on the public entities outlined above to provide notice to the Board of the dates and times of all meetings of the entity and any committees thereof that are scheduled to occur on a regular basis and reasonable notice to the Board of any special or otherwise unscheduled meetings.

Any employee serving on such an entity shall apply in writing for such leave in a timely manner, but in no case less than twenty-four (24) hours prior to the date of the meeting, except in an emergency. The employee shall also be required to submit proper documentation that the leave granted was used for the purposes for which requested. Improper use of said leave may result in reimbursement to the Board of any compensation paid the employee for the leave days taken, and may lead to discipline of the employee up to and including termination.

Revised: July 1996

Revised: March 2001

Revised: February 2003

Revised: May 2003

Revised: January 2007

## **Revised: August 2013**

Ref: La. Rev. Stat. Ann. §§17:81, 17:1186; Board minutes, 3-19-57, 2-14-78, 9-16-80, 3-4-86, 9-19-89, 5-1-90, 5-17-90, 5-23-90, 5-21-91, 9-21-93, 7-16-96, 12-16-97, 3-20-01, 2-18-03, 6-3-03, 1-16-07.

Mrs. Carol Davis, Assistant Superintendent, presented an overview of the new Common Core State Standards (CCSS), which is being fully implemented in Louisiana with the 2013-2014 school year in grades K through 12 in English language arts (ELA) and math (attachment). She briefly discussed the “what, when, how and who” of the implementation process for the new “more rigorous and robust” CCSS. She described the efforts of those teachers who worked tirelessly during the summer months to ensure that schools were prepared for the transition. Mrs. Davis discussed the alignment of the CCSS to new state assessments to be administered beginning with the 2014-2015 school year. She proudly explained the benefits that the CCSS will provide to every student, every day, in grades K through 12.

Mr. Graham Douglas, Supervisor of Secondary Education, presented information pertaining to middle and secondary school scheduling (attachment). He explained the necessity to investigate transitioning from block (4x4) scheduling to a seven (7) period day for secondary schools (grades 9-12) is due to the implementation of the Common Core State Standards and new state assessments that will be given beginning with the 2014-2015 school year. He said the transition will give the district the opportunity to provide additional Advanced Placement Courses for our students.

Mr. Alton Johnson, PBIS/RTI Behavioral Facilitator, presented information regarding a bullying prevention poster contest as part of the Region III/Positive Behavior Interventions and Supports (PBIS) Consortium, which includes Terrebonne, St. Mary, Lafourche, Assumption and Ascension Parishes, in conjunction with the Louisiana Department of Education (attachment). He stated “the Region” supported and funded the initiative for creating a bullying prevention poster within each district, to have students participate class-by-class and school-wide, to represent their school. He said once posters were submitted, a Committee of educators

chose the poster(s) that would represent the district. He introduced and congratulated the two (2) students whose posters received the highest scores and were chosen as the bullying prevention posters for the Terrebonne Parish School District. Mr. Johnson stated with funding from the Region III/PBIS Consortium, the two (2) posters were enlarged and will be on display at every school in the district. Miss Mikeala Barnett, 12<sup>th</sup> grade student at H. L. Bourgeois High School, “thanked” the Committee for the opportunity to compete in the contest, stating she has always “taken up for other people who were bullied and didn’t voice their opinion” and has done class essays on it because it has always been very close to her growing up. Miss Katie Benoit, 11<sup>th</sup> grade student at South Terrebonne High School, said she had worked really hard and wanted to show everyone that “you shouldn’t bully anyone” and “thanked” the Committee for allowing students to have fun with the contest by getting all the classes involved in bullying prevention.

Ms. Linda Joseph, Supervisor of Child Welfare and Attendance, presented recent legislative revisions to policy FILE: H-2.1 Attendance.

## **RECOMMENDATION NO. 2**

**The Committee recommends** that the Board approve, as presented, the following revised policy File: H-2.1 Attendance:

**FILE: H-2.1**  
**Cf: H-2.1a, H-2.5a**  
**Cf: H-3.5**

## **ATTENDANCE**

The Terrebonne Parish School Board believes regular attendance in school accompanied by the responsibility to study and participate in school activities is essential to the learning process. **In accordance with state law, it is the responsibility of every parent, tutor, or legal guardian of a child between the ages of seven (7) and eighteen (18) to enforce the attendance of his or her child at the school to which the student is assigned.** Once a pupil **student** arrives at school, he/she is expected to remain and attend each class throughout the day.

A student is considered to be in attendance when he or she is (1) physically present at a school site or is participating in an authorized school activity and (2) is under the supervision of authorized personnel. This definition for attendance would extend to students who are homebound, assigned to and participating in drug rehabilitation programs that contain a state-approved education component, or participating in school-authorized field trips or other school-approved activities, **or taking a state-approved virtual course.**

- *Half-day attendance* - A student is considered to be in attendance for one-half day when he or she (1) is physically present at a school site or is participating in an authorized school activity and (2) is under the supervision of authorized personnel for more than 25% but not more than half (26%-50%) of the student's instructional day.
- *Whole-day attendance* - A student is considered to be in attendance for a whole day when he or she (1) is physically present at a school site or is participating in an authorized school activity and (2) is under the supervision of authorized personnel for more than 50% (51%-100%) of the student's instructional day.

Compulsory attendance laws and Louisiana Board of Elementary and Secondary Education (BESE) regulations require high school students to be in attendance a minimum of 30,060 minutes (equivalent to 83.5 six hour school days) per semester or 60,120 minutes (equivalent to 167 six-hour school days) a school year for schools not operating on a semester basis in order to be eligible to receive credit for courses taken. ~~To receive Carnegie credit for a course, the minimum amount of time students must be present shall be as follows:~~

- ~~a. 10,020 minutes for a six-period schedule;~~
- ~~b. 8,589 minutes for a seven-period schedule;~~
- ~~c. 7,515 minutes for eight-period or 4 x 4 block schedules; or~~
- ~~d. a minimum of 7,515 minutes for other schedule configurations.~~

Elementary students shall be in attendance a minimum of ~~167 six-hour days~~ ~~(or 60,120 minutes)~~ **(equivalent to 167 six-hour days)** a school year in order to be eligible to receive credit for courses taken.

**Students in danger of failing due to excessive absences may be allowed to make up missed time in class sessions held outside the regular class time. The makeup sessions must be completed before the end of the current semester and all other applicable policies must be met.**

## JURISDICTION

All students shall be under the jurisdiction of the school during normal school hours, from the time the student arrives at school each day until he or she leaves the school campus in the afternoon. In case a student rides a bus, he or she shall be under the jurisdiction of the school from the time he or she boards the bus until the student exits the bus in the afternoon. Students shall be under the jurisdiction of the school while attending any school sponsored activity either at school or away from school. This shall apply to all students, including athletic teams, pep clubs, band and other student organizations. In disciplinary matters, the **School** Board's authority may extend beyond the limits set forth above, in accordance with state law.

Revised: April 1999

Revised: February 2007

Revised: October 2008

Revised: September 2010

Revised: August 2011

**Revised: August 2013**

Ref: La. Rev. Stat. Ann. §§17:221, 17:226, 17:227, 17:233; Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 12-9-80, 4-20-99, 2-27-07, 10-21-08, 9-21-10, 8-16-11.

Ms. Joseph presented new policy FILE: H-2.4b Unsafe School Choice.

### **RECOMMENDATION NO. 3**

**The Committee recommends** that the Board approve, as presented, the following new policy FILE: H-2.4b Unsafe School Choice:

**FILE: H-2.4b**

#### **UNSAFE SCHOOL CHOICE**

The Terrebonne Parish School Board, as required by federal law, shall permit students attending a persistently dangerous public school, or students who become victims of a violent criminal offense while in or on the grounds of a public school that they attend, to attend a safe public school. The State of Louisiana shall notify the School Board each year if any of the schools are identified as *unsafe*. Transfer of any student from a school classified as unsafe shall be in accordance with the following guidelines.

#### **STUDENTS WHO ARE VICTIMS OF CRIMES OF VIOLENCE**

A student at a public elementary school, middle school or high school who becomes a victim of a crime of violence, as defined by La. Rev. Stat. Ann. §14:2, while on school property, on a school bus or at a school-sponsored event, shall be given the option to transfer to another public school within Terrebonne Parish which offers instruction at the student's grade level and which is not persistently dangerous, if there is such a school within the school district.

A student who is enrolled in an alternative school or a special school and who becomes a victim of a crime of violence, as defined by La. Rev. Stat. Ann. §14:2, while on school property, on a school bus or at a school-sponsored event, shall be given the option to transfer to another such public school within Terrebonne Parish which offers instruction at the student's grade-level, for which the student meets the admission requirements and which is not persistently dangerous, if there is such a school within the school district. However, a student who has been assigned to a particular school, such as an alternative school or a special school, by court order shall not have the option to transfer.

A student who has been the victim of a crime of violence and who must be given the option to transfer should generally be given the option to transfer within ten (10) calendar days from the date on which the crime of violence occurred.

### PERSISTENTLY DANGEROUS SCHOOLS

Students attending a persistently dangerous public elementary school, middle school or high school shall be given the option to transfer to another public school within Terrebonne Parish, which offers instruction at the students' grade level and which is not persistently dangerous, if there is such a school within the school district.

A student who is enrolled in an alternative school or a special school which is persistently dangerous shall be given the option to transfer to another such public school within the school district, which offers instruction at the student's grade-level, for which the student meets the admission requirements and which is not persistently dangerous, if there is such a school within the school district. However, a student who has been assigned to a particular school, such as an alternative school or a special school, by court order shall not have the option to transfer.

The School Board, in a timely manner, shall notify parents of each student attending the school that the school has been identified as *persistently dangerous*, offer the students the opportunity to transfer and complete the transfer. Although timely implementation of these steps depends on the specific circumstances within the school district, students should generally be offered the option to transfer within twenty (20) school days from the time the school district is notified that the school has been identified as *persistently dangerous*. Although the transfer may be temporary or permanent, the transfer must remain in effect for at least as long as the school is identified as *persistently dangerous*.

A school shall not be considered as persistently dangerous if the school no longer meets the identifying criteria.

## INTERDISTRICT AGREEMENTS

Nothing herein shall prohibit school districts from entering into agreements with one another allowing students who become the victims of crimes of violence while on school property, on a school bus, or at a school-sponsored event or who are attending persistently dangerous schools in one school district the option to transfer to a school, which is not persistently dangerous, in another school district. However, a student who has been assigned to a particular school, such as an alternative school or a special school, by court order shall not have the option to transfer.

New policy: August 2013

Ref: 20 USC 7912 (*Unsafe School Choice Option*); Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education.

Ms. Joseph presented recent legislative revisions to policy FILE: H-3.5b Suspension/Expulsion.

## **RECOMMENDATION NO. 4**

**The Committee recommends** that the Board approve, as presented, the following revised policy FILE: H-3.5b Suspension/Expulsion:

**FILE: H-3.5b**  
**Cf: G-2.4g, H-3.3**  
**Cf: H-3.3b, H-3.5**

## **SUSPENSION/EXPULSION**

### SUSPENSION

The Terrebonne Parish School Board recognizes its authority to maintain good order and discipline within the schools of the school district. Therefore, the **School** Board recognizes the principal's authority to suspend a student in accordance with statutory provisions. ~~The term of suspension may carry over into the next school year, when necessary, unless otherwise~~



~~provided for in state statutes.~~ **The number of school days a student may be suspended shall not exceed the number of school days remaining in the school year.**

In each case of suspension, the school principal, or his/her designee, prior to any suspension, shall advise the student of the particular misconduct of which he/she is accused as well as the basis for such accusation, and the student shall be given an opportunity at that time to explain his/her version of the facts. The school principal or designee shall contact the parent, tutor, or legal guardian of the student to notify him/her of the suspension and establish a date and time for a conference with the principal or designee as a requirement for readmitting the student.

Students suspended for more than ten (10) days shall remain under the supervision of the school system using an alternative education program designed to continue the educational process in an alternative educational placement. The student shall be placed in an alternative school or an alternative education program and shall be required to attend and participate in such school, program, or educational services.

No suspended student shall be allowed to leave the school premises during the school day until the parent, guardian, or other proper authorities assume responsibility for him/her, unless immediate removal from school due to danger or threat of disruption to academic process is warranted.

## EXPULSION

Expulsion is defined as a removal from all regular school settings for a period of not less than one (1) school semester. The Board shall authorize the Superintendent to expel a student from school if an offense committed by the student is serious enough to warrant such action or is in violation of state law. Upon the recommendation for expulsion of a student by the principal, the Superintendent or designee shall conduct a hearing to determine the facts of the case and make a finding of whether or not the student is guilty of conduct warranting a recommendation of expulsion.

At the hearing, the teacher shall be permitted to attend and present any relevant information. Until the hearing, the student shall remain suspended.

At the conclusion of the hearing, the Superintendent or designee shall determine whether expulsion or other corrective action is necessary.

Upon the conclusion of the hearing and upon finding the student guilty of conduct warranting expulsion, the Superintendent shall determine whether such student shall be expelled and the specified period of expulsion, or if other disciplinary action shall be taken. Unless otherwise stipulated by state statutes, the period of expulsion shall not be less than one (1) school semester and may carry over into the next school year, if necessary. During an expulsion, the Superintendent shall place the student in an alternative school or in an alternative educational placement.

### REASONS FOR SUSPENSION/EXPULSION

Reasons for suspending or expelling a student from school shall include, but not be limited to, the following:

- A. Is guilty of willful disobedience
- B. Treats with intentional disrespect school employees or members of the local School Board
- C. Makes unfounded charges against school employees or members of the local School Board
- D. Uses unchaste or profane language
- E. Is guilty of immoral or vicious practices or of conduct or habits injurious to his/her associates
- F. Uses tobacco or possesses alcoholic beverages or any controlled dangerous substance governed by the Uniform Controlled Dangerous Substance Law, in any form, in school buildings, on school grounds, at any school-sponsored activity, or on school buses owned by, contracted to, or jointly owned by the Board
- G. Disturbs the school and/or habitually violates any rule

- H. Cuts, defaces, or injures any part of public school buildings, any property belonging to the buildings, or any school buses owned by, contracted to, or jointly owned by the Board
- I. Writes any profane or obscene language or draws obscene pictures in or on any school material or on any public school premises or on any fence, pole, sidewalk, or building on the way to or from school or on any school bus, including those owned by, contracted to, or jointly owned by the Board
- J. Is found carrying firearms, knives, or other implements which can be used as weapons, the careless use of which might inflict harm or injury
- K. Throws missiles liable to injure other persons on the school grounds or while on any school bus, including those owned by, contracted to, or jointly owned by the Board
- L. Instigates or participates in fights while under school supervision
- M. Violates traffic and safety regulations
- N. Leaves the school premises without permission
- O. Leaves his/her classroom during class hours or detention without permission
- P. Is habitually tardy or absent
- Q. Is using, distributing, or is in possession of weapons, illegal drugs, alcohol, and unauthorized telecommunication devices
- R. Commits assault or battery of a school employee
- S. Commits any other serious offense.

School officials, in accordance with statutory provisions, shall have total discretion and shall exercise such discretion in imposing on a student any disciplinary actions authorized by state law for possession by a student of a

firearm or knife on school property when such firearm or knife is stored in a motor vehicle, and there is no evidence of the student's intent to use the firearm or knife in a criminal manner.

### ASSAULT OR BATTERY OF SCHOOL EMPLOYEES

Whenever a student is formally accused of violating state law or school disciplinary regulations, or both, by committing assault or battery on any school employee, the principal shall suspend the student from school immediately and the student shall be removed immediately from the school premises without the benefit of required procedures, provided, however, that such procedures shall follow as soon as practicable. The student shall not be readmitted to the school to which the employee is assigned until all hearings and appeals associated with the alleged violation have been exhausted. ~~Before being readmitted to school, a student who commits assault or battery of a teacher shall be required to appear before the full Board.~~

Except when the school system has no other school of suitable grade level for the student to attend, no student found guilty by a court of competent jurisdiction or found guilty at a school system suspension hearing of committing battery or assault on any school employee, or both, shall be assigned to attend or shall attend the school to which the school employee battered or assaulted is assigned.

### RECUSAL OF ADMINISTRATOR IN DISCIPLINE MATTERS

Any school administrator or administrator's designee who is required to make a recommendation, decide an issue, or take action in a matter involving the discipline of a student shall recuse himself/herself whenever a member of the immediate family of the administrator or administrator's designee is involved in any manner in the discipline matter. In case of recusal, the action to be taken shall be done so by the Superintendent or an impartial designee of the Superintendent. Immediate family means the individual's children, brothers, sisters, parents, and spouse and the children, brothers, sisters, and parents of the spouse.

## PROCEDURES

- A. The principal shall immediately suspend a student who is found carrying or possessing a firearm or knife, the blade of which equals or exceeds two (2) inches in length, or other dangerous instrumentality, except as provided below under the section entitled *Suspension Not Applicable*, or who distributes, sells, gives, or loans any controlled dangerous substance governed by the *Uniform Controlled Dangerous Substances Law*, in any form. The principal shall immediately recommend the student's expulsion, except that, in the case of a student less than eleven (11) years old in pre-kindergarten through grade five (5) who is found carrying or possessing a knife as described above, the principal may, but shall not be required to, recommend the student's expulsion.

A student found carrying or possessing a knife with a blade less than two (2) inches in length may be suspended by the school principal, but, in appropriate cases, at a minimum, shall be placed in in-school suspension.

### 1. Expulsion Involving Firearms

Any student, sixteen (16) years of age or older, or under sixteen (16) and in grades six (6) through twelve (12), who is found guilty of being in possession of a firearm on school property, on a school bus or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters and shall be referred to the district attorney for appropriate action.

Any student in kindergarten through grade five (5) who is found guilty of being in possession of a firearm on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters and shall be referred to the district attorney for appropriate action.

The Superintendent, however, may modify the length of the minimum expulsion required in the above paragraphs on a case-by-case basis, provided such modification is in writing.

## 2. Expulsion Involving Drugs

Any student, sixteen (16) years of age or older, found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus or at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters.

Any student who is under sixteen (16) years of age and in grades six (6) through twelve (12) and who is found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters.

Any case involving a student in kindergarten through grade five (5) found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any illegal narcotic, drug, or other controlled substance on school property, on a school bus, or at a school-sponsored event, pursuant to a hearing, shall be referred to the Board through a recommendation for action from the Superintendent.

## 3. Expulsion Involving Knife/Weapon

The Terrebonne Parish School Board requires a student to be immediately suspended when found carrying or possessing a knife, the blade of which equals or exceeds two (2) inches in length, or other dangerous instrumentality.

The principal shall immediately recommend the student's expulsion, except that, in the case of a student less than eleven (11) years old in pre-kindergarten through grade five (5) who is found carrying or possessing a knife, the principal may, but shall not be required to, recommend the student's expulsion.

A student found carrying or possessing a knife with a blade less than two (2) inches in length may be suspended, but, in appropriate cases, at a minimum shall be placed in in-school suspension.

Any student who is under sixteen (16) years of age and in grades six (6) through twelve (12) and who is found guilty of being in possession of a knife/weapon on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of two (2) complete school semesters and shall be referred to the district attorney for appropriate action.

Any student sixteen (16) years of age or older who is found guilty of being in possession of a knife/weapon on school property, on a school bus, or in actual possession at a school-sponsored event, pursuant to a hearing, shall be expelled from school for a minimum period of four (4) complete school semesters and shall be referred to the district attorney for appropriate action.

A *weapon*, in accordance with federal statutes, means a firearm or any device which is designed to expel a projectile or any destructive device, which in turn means any explosive, incendiary or poison gas, bomb, grenade, rocket, missile, mine or similar device.

- B. The conviction of any student of a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony, may be cause for expulsion of the student for a period of time as determined by the Board, provided that such expulsion shall require the vote of two-thirds of the elected members of the Board.

- C. The parent or tutor of the student may submit a written request, within five (5) days after the decision of the hearing is rendered, that the Board review the findings of the Superintendent or designee at a time set by the Board; otherwise, the decision of the Superintendent shall be final. If requested, as herein provided, and after reviewing the findings of the Superintendent or designee, the Board may affirm, modify, or reverse the action previously taken.
- D. The principal shall promptly advise the Superintendent or designee of all such suspensions, stating the reasons for the suspensions. No suspended student shall be allowed to leave the school premises during the school day until parent, guardian, or other proper authorities assume responsibility for him/her, unless immediate removal from school due to danger or threat of disruption to academic process is warranted.

The principal and other appropriate personnel shall be required to file written documentation of all suspensions. Said documentation shall include the circumstances surrounding any suspension, the reason for suspension, and any other pertinent facts concerning the disciplinary action. The principal shall file copies of his/her report with the Superintendent, other appropriate personnel, and the parent or guardian and retain a copy for his/her records.

### READMITTANCE

- A. No student who has been expelled shall be admitted to any public school in any other parish or city school system in the state except upon the review and approval of the Superintendent or the Supervisor of Child Welfare and Attendance as his/her designee.
- B. Upon request for admittance, any student who has been expelled from any school shall provide the Board information on the dates of any expulsions and the reason or reasons for which the student was expelled. Additionally, the transfer of a student's records by any public school or school system in the state to any other public or nonpublic school or school system shall include information on the



dates of any expulsions and the reason or reasons for which the student was expelled.

- C. Any student expelled from school may be readmitted on a probationary basis to school at any time during the specified period of expulsion on such terms and conditions as may be stipulated by the Board and agreed to, in writing, by the student and by the student's parent or other person responsible for the student's school attendance. However, any such written agreement shall include a provision that upon the school principal's or Superintendent's making a determination that the student has violated any term or condition of the agreement, the student shall be immediately removed from the school premises without the benefit of any hearing or other procedure applicable to student suspensions and expulsions.
- D. In addition to the readmittance provisions for all expulsions stated above, a student that has been expelled for possessing on school property or on a bus, a firearm, knife, or other dangerous weapon, or possessing or possession with intent to distribute or distributing, selling, giving, or loaning while on school property or a school bus any controlled dangerous substance shall not be enrolled or readmitted to any such school on a probationary basis prior to the completion of the period of expulsion until the student produces written documentation that he/she and his/her parent or legal guardian have enrolled and participated or is participating in an appropriate rehabilitation or counseling program related to the reason(s) for the student's expulsion. The rehabilitation or counseling programs shall be provided by such programs approved by the juvenile or family court having jurisdiction, if applicable, or by the School Board. The requirement for enrollment and participation in a rehabilitation or counseling program shall be waived only upon a documented showing by the student that no appropriate program is available in the area or that the student cannot enroll or participate due to financial hardship.
- ~~E. Any student, upon serving the minimum time at an alternative school for a gun violation, shall be required to appear before the full Board prior to being readmitted to any Terrebonne Parish school.~~

## CREDIT FOR SCHOOL WORK MISSED

A student who is suspended for ten (10) days or fewer shall be assigned school work missed while he/she is suspended and shall receive either partial or full credit for such work, upon the recommendation of the student's teacher, if it is completed satisfactorily and timely as determined by the principal or his/her designee.

A student who is suspended for more than ten (10) days, or expelled, and receives educational services at an alternative school site, shall be assigned work by a certified teacher and shall receive credit for school work if it is completed satisfactorily and timely as determined by the teacher. Such work shall be aligned with the curriculum used at the school from which the student is suspended.

## PARENTAL CONFERENCE

In each case of suspension or expulsion, the principal or designee shall contact the parent, tutor, or legal guardian to notify the parent, tutor, or legal guardian of the suspension or expulsion and to set up a conference. "Notice" shall be given by contacting the parent, tutor, or legal guardian by telephone at the telephone number shown on the student's registration card or by sending a certified letter to the address shown on the student's registration card. In the case of expulsion, a certified letter must be sent.

If the parent, tutor, or legal guardian fails to attend the required conference set by the principal within five (5) school days of notification, the truancy laws shall be effective. On not more than one occasion each school year when the parent, tutor, or legal guardian refuses to respond, the principal may determine whether readmitting the student is in the best interest of the student. On any subsequent occasions in the same school year, the student shall not be readmitted unless the parent, tutor, or legal guardian, court or other appointed representative responds.

In any case where a teacher, principal, or other school employee is authorized to require the parent, tutor, or legal guardian of a student to attend a conference or meeting regarding the student's behavior and

after notice, the parent, tutor, or legal guardian willfully refuses to attend, the principal or designee shall file a complaint, in accordance with statutory provisions, with a court exercising juvenile jurisdiction.

### SUSPENSION NOT APPLICABLE

Suspension of a student shall not apply to the following:

1. A student carrying or possessing a firearm or knife for purposes of involvement in a school class, course, or school-approved co-curricular or extracurricular activity or any other activity approved by appropriate school officials.
2. A student possessing any controlled dangerous substance that has been obtained directly or due to a valid prescription or order from a licensed physician.

However, such student shall carry verifiable evidence of that prescription or physician's order on his/her person at all times when in possession of any controlled dangerous substance.

Revised: June 1999

Revised: January 2000

Revised: February 2001

Revised: February 2004

Revised: February 2006

Revised: September 2006

Revised: November 2006

Revised: September 2007

Revised: June 2008

Revised: November 2008

Revised: November 2009

Revised: January 2013

**Revised: August 2013**

Ref: 18 USC 921 (Firearms – Definitions); 20 USC 7151 (Gun-Free Schools Act); La. Rev. Stat. Ann. §§17:223, 17:416, 17:416.1, 17:416.2, 17:416.3, 17:2092; Goss v. Lopez, 95 S. Ct. 729 (1973); Regulations for Implementation of the Exceptional Children's Act, Bulletin 1706, Louisiana Department of Education; Board minutes, 3-17-98, 6-15-99, 1-18-00, 10-17-00, 2-21-06, 8-15-06, 9-18-07, 6-17-08, 11-18-08, 11-17-09, 1-15-13.

Ms. Joseph presented recent legislative revisions to policy FILE: H-3.6 Student Health Services.

## **RECOMMENDATION NO. 5**

**The Committee recommends** that the Board approve, as presented, the following revised policy FILE: H-3.6 Student Health Services:

**FILE: H-3.6**

### **STUDENT HEALTH SERVICES**

#### **HEALTH CARE CENTERS**

No student shall receive any type of service unless the required standardized school health forms as outlined in *Louisiana Handbook for School Administrators*, Bulletin 741 have been signed and returned to school.

#### **HEARING AND VISION SCREENING**

The School Board, during the first semester of the school year, or within thirty (30) days after the admission of students entering school late in the session, shall test the sight, including color screening for all first grade students, and hearing of students according to the schedule outlined by the American Academy of Pediatrics, except those students whose parents or guardians may object to such tests. Students may also be tested upon referral or requests of teachers and/or parents.

A record of such examination shall be kept and the administrators shall be required to follow up on the deficiencies within sixty (60) days, and shall notify in writing the parent or tutor of every pupil found to have any defect of sight or hearing. A written report of all such examinations shall be made to the state superintendent of education but shall not be made available to the public.

#### **EDUCATIONAL SCREENING AND EVALUATION**

**Every student in grades kindergarten through third shall be screened, at least once, for the existence of impediments to a successful school**

experience. No student shall be screened if his/her parent or guardian objects to such screening. Such impediments shall include:

1. dyslexia and related disorders;
2. attention deficit disorder; and
3. social and environmental factors that put a student "at risk."

Students in need of services and/or assistance shall have it provided to them.

The screenings shall be done directly by elementary school counselors, pupil appraisal personnel, teachers, or any other professional employees of the School Board who have been appropriately trained, all of whom shall operate as advocates for the students identified as needing services or assistance. No screenings shall be done by persons who have not been trained to do such screenings.

The School Board shall ensure that educational screening activities, conducted by a committee at the school level, shall be completed before a student is referred for an individual evaluation through pupil appraisal services.

Students who are experiencing learning or adjustment difficulties in a regular program, but are not thought to be exceptional, may receive support services from pupil appraisal by a referral from a committee at the school level.

### Testing for Dyslexia

Upon the request of a parent, student, school nurse, classroom teacher, or other school personnel who has reason to believe that a student has a need to be tested for dyslexia **and related disorders**, that student shall be referred to the school building level committee for additional testing. The Board may provide for additional training for school nurses to aid in identifying dyslexic students. **The School Board shall provide remediation for students with dyslexia or related disorders in an appropriate education program.**

For purposes of this policy, *dyslexia* shall be defined as difficulty with the alphabet, reading, reading comprehension, writing, and spelling in spite of adequate intelligence, exposure, and cultural opportunity.

### OTHER HEALTH CONSIDERATIONS

The School Board acknowledges that only properly trained personnel shall make recommendations regarding certain health issues of students.

The School Board shall prohibit, in accordance with statutory provisions, any teacher employed by the **School** Board from recommending that a student be administered a psychotropic drug, specifying or identifying any specific mental health diagnosis for a student, or using a parent's or guardian's refusal to consent to the administration of a psychotropic drug to a student or to a psychiatric evaluation, screening, or examination of a student as grounds for prohibiting the student from attending any class or participating in any school-related activity or as the sole basis of accusations of child abuse or neglect against the parent or guardian.

The provisions of the above paragraph shall not be construed so as to prohibit any of the following:

1. An employee of the School Board who is a registered nurse, nurse practitioner, physician, or an appropriately credentialed mental health professional or teacher from recommending that a student be evaluated by an appropriate medical practitioner.
2. A teacher or other certified employee of the School Board from suggesting a student be assessed or evaluated by qualified employees of the School Board who perform such function.
3. A teacher assessing or evaluating any element of a student's academic readiness, performance, or achievement.
4. Any employee of the School Board from discussing any aspect of a student's behavior or academic progress with the student's parent or guardian or any other employee of the School Board.

## Definitions

*Psychotropic drug* shall mean a substance that is used in the diagnosis, treatment, or prevention of a disease or as a component of a medication and is intended to have an altering effect on perception, emotion, or behavior.

*Teacher*, for purposes of this section of the policy, shall mean any person employed by the School Board, who, as a condition of employment, is required to hold a valid teaching certificate issued by the Louisiana Department of Education and any person employed by the School Board as a substitute teacher.

## ADMINISTERING CATHETERS

The School Board shall not require any employee other than a registered nurse or a licensed medical physician to catheterize any student until all of the following conditions have been met:

1. A registered nurse or licensed medical physician, employed by the **School** Board, has assessed the health status of the specific child in his/her specific educational setting. The registered nurse has determined that the procedure could be safely performed, the results are predictable and could be delegated to someone other than a registered nurse following documented training.
2. The registered nurse or licensed medical physician shall train at least two (2) employees to catheterize the specific child in his/her educational setting. The employees shall be given not less than eight (8) hours of training in the area of catheterization of students.
3. Following the training provided for in #2, no catheterization may be performed unless prescribed in writing by a licensed medical physician. The employee, other than the registered nurse or licensed medical physician, shall be required to complete,

under the direct supervision of a registered nurse, a minimum of five (5) catheterizations. Upon one hundred percent successful completion of these catheterizations, the registered nurse or licensed medical physician and the trainee shall sign a standard form indicating that the trainee has attained the prescribed level of competency. A copy of this form shall be kept on file by the school system.

4. Individuals who are required to perform catheterizations and have been trained according to statutory provisions, may not decline to perform such service except as exempted by a licensed medical physician or a registered nurse. The reasons for such exemption shall be documented and certified by the licensed medical physician or a registered nurse within seventy-two (72) hours.
5. Any employee shall have the right to request that another School Board employee be present while catheterizing the student, to serve as a witness to the procedure. After making such a request, the employee shall not be required to catheterize a student without such a witness.

The provisions of this part of the policy shall be restricted to those students who have had intermittent catheterization prescribed as a treatment for urinary or neurologic dysfunction and not for continuous bladder drainage or to obtain urine specimens for diagnostic purposes. No employee shall be requested to catheterize any student for continuous bladder drainage or to obtain urine specimens for diagnostic purposes.

#### PERFORMING NONCOMPLEX HEALTH PROCEDURES

The term *noncomplex health procedure* shall mean a task which is safely performed according to exact directions, with no need to alter the standard procedure, and which yields predictable results. It shall include the following:

1. Modified activities of daily living which require special instruction such as toileting/diapering, bowel/bladder training,



toilet training, oral/dental hygiene, lifting/positioning, and oral feeding.

2. Health maintenance procedures such as postural drainage, percussion, tracheostomy ~~and oral pharyngeal~~ suctioning, gastrostomy feeding and monitoring of these procedures.
3. Screenings such as growth, vital signs, hearing, vision, and scoliosis.

The School Board shall not require any employee other than a registered nurse, licensed medical physician, ~~or~~ an appropriate licensed health professional, **or, in the case of tracheostomy suctioning procedure, any hired and trained unlicensed nursing personnel or unlicensed assistive personnel as defined by the Louisiana State Board of Nursing,** to perform noncomplex health procedures until all the following conditions have been met:

1. A registered nurse or a licensed medical physician and, when appropriate, another licensed health professional employed by the **School** Board, has assessed the health status of the specific child in his/her specific educational setting and has determined that, according to the legal standards of the respective licensed health professional performing such procedure, the procedure can be safely performed, the results are predictable, and the procedure can be delegated to someone other than a licensed health professional following documented training.
2. The registered nurse or the licensed medical physician and, when appropriate, another licensed health professional shall train, in his or her area of expertise, at least two (2) such employees to perform noncomplex health procedures on the specific child in his/her educational setting. The employees shall be given not less than four (4) hours of training in the area of noncomplex health procedures.
3. Following the training provided for in #2, no noncomplex health procedure, except screenings and activities of daily living such

as toileting/diapering, toilet training, oral/dental hygiene, oral feeding, lifting, and positioning may be performed unless prescribed in writing by a physician licensed to practice medicine in the state of Louisiana or an adjacent state.

The employee, other than the registered nurse, licensed medical physician, or appropriate licensed health professional shall be required to complete, under the direct supervision or coordination of a registered nurse, a minimum of three (3) satisfactory demonstrations. Upon satisfactory completion of these noncomplex health procedures, the registered nurse, licensed medical physician, or appropriate licensed health professional and the trainee shall sign a standard form indicating that the trainee has attained the prescribed level of competency. A copy of this form shall be kept on file by the school system.

4. Individuals who are required to perform noncomplex health procedures and have been trained according to the provisions of ~~this Section~~ **state law and this policy** may not decline to perform such service at the time indicated except as exempted for reasons as noted by the licensed medical physician or registered nurse. The reasons for such exemption shall be documented and certified by the licensed medical physician or a registered nurse within seventy-two (72) hours.
5. An employee shall have the right to request that another **School** Board employee be present while he/she is performing noncomplex health procedures for a student, to serve as a witness to the procedure. After making such a request, the employee shall not be required to perform noncomplex health procedures without such a witness.
6. **Employees who have volunteered to perform a tracheostomy suctioning procedure and who comply with the training and demonstration requirements outlined in #2 and #3 above may be allowed to perform such procedure on a child in an educational setting.**

The School Board shall provide the necessary safety equipment, materials, and supplies to each employee who performs noncomplex health procedures. Such safety equipment, materials, and supplies shall include but not be limited to gloves, anti-bacterial soaps and wipes, paper towels and masks.

For the purposes of this section of the policy, *employee* means any appropriate member of the education staff, **and appropriate licensed health professional shall include a licensed practical nurse.**

Revised: December 1997

Revised: June 1999

Revised: February 2004

Revised: October 2008

**Revised: August 2013**

Ref: Irving Independent School District v. Tatro, 104 S. Ct. 33371 (1984); La. Rev. Stat. Ann. §§14:403, 17:170, **17:392.1**, 17:435, 17:436, 17:436.2, 17:2112, 40:31.3; **Health and Safety, Bulletin 135**, Louisiana Handbook for School Administrators, Bulletin 741, Louisiana Department of Education; Board minutes, 6-15-99, 2-17-04, 10-21-08.

Ms. Joseph presented recent legislative revisions to policy FILE: H-3.6c Administration of Medication.

### **RECOMMENDATION NO. 6**

**The Committee recommends** that the Board approve, as presented, the following revised policy FILE: H-3.6c Administration of Medication:

**FILE: H-3.6c**

### **ADMINISTRATION OF MEDICATION**

It is the policy of the Terrebonne Parish School Board that the administration of medication to students at school shall meet the following conditions and limitations. As used in this policy, the term *medication* ~~must~~ **shall** include all prescription and non-prescription drugs.

1. WRITTEN ORDERS, APPROPRIATE CONTAINERS, LABELS, AND INFORMATION

A. Medication shall not be administered to any student without a completed *Medication Order* from a physician or dentist licensed to practice medicine in Louisiana or an adjacent state, or any other authorized prescriber authorized in the State of Louisiana to prescribe medication or devices, **and** a letter of request and authorization from the student's parent or guardian. The following information shall be included:

- 1) the student's name
- 2) the name and signature of the physician/ dentist/other authorized prescriber
- 3) physician's/dentist's/other authorized prescriber's business address, office phone number, and emergency phone numbers
- 4) student's diagnosis
- 5) name, amount of each school dose, time of school administration, route of medication, and reason for use of medication
- 6) a written statement of the desired effects and the child specific potential adverse effects

B. Medication shall be provided to the school by the parent/legal guardian in the container that meets acceptable pharmaceutical standards and shall include the following information:

- 1) name of pharmacy
- 2) address and telephone number of pharmacy
- 3) prescription number
- 4) date dispensed
- 5) name of student
- 6) clear directions for use, including the route, frequency, and other as indicated
- 7) drug name and strength

- 8) last name and initial of pharmacist
- 9) cautionary auxiliary labels, if applicable
- 10) physician's/dentist's/other authorized prescriber's name

Labels of prepackaged medications, when dispensed, shall contain the following information in addition to the regular pharmacy label:

- 1) drug name
- 2) dosage form
- 3) strength
- 4) quantity
- 5) name of manufacturer and/or distributor
- 6) manufacturer's lot or batch number

## 2. ADMINISTRATION OF MEDICATION: GENERAL PROVISIONS

- A. Once trained, the school employee who administers medication may not decline to perform such service at the time indicated, unless exempted in writing by the MD or RN.
- B. During the period when the medication is administered the person administering medication must be relieved of all other duties. This requirement does not include the observation period required in 2.-F below.
- C. Except **in the case of a trained unlicensed diabetes care assistant administering diabetes medications (if applicable) or** in life-threatening situations, **trained** unlicensed ~~but trained~~, school personnel may not administer injectable medications.
- D. All medications must be stored in a secured locked area or locked drawer, with limited access, except by authorized trained school personnel.
- E. Only oral, inhalant, topical ointment for diaper rash, and emergency medications may be administered at school by unlicensed, but trained, school personnel. Under special

circumstances, other medications not mentioned above may be administered as necessary, as approved by the school nurse.

- F. Each student must be observed by a school employee for a period of 45 minutes following the administration of medication. This observation may occur during instruction time.
- G. School medication orders shall be limited to medications which cannot be administered before or after school hours.

3. PRINCIPAL

The principal shall designate at least two (2) employees to receive training and administer medications in each school.

4. TEACHER

The classroom teacher who is not otherwise previously contractually required shall not be assigned to administer medications to students. A teacher may request, in writing, to volunteer to administer medications to his/her own students. The administration of medications shall not be a condition of employment of teachers employed subsequent to July 1, 1994. A regular education teacher who is assigned an exceptional child shall not be required to administer medications.

5. SCHOOL NURSE

- A. The school nurse, in collaboration with the principal, shall supervise the implementation of the school policies for the administration of medications in schools to ensure the safety, health and welfare of the students.
- B. The school nurse shall be responsible for the training of non-medical personnel who have been designated by each principal to administer medications in each school. The training must be at least six (6) hours and include, but not be limited to, the following provisions:

- 1) Proper procedures for administration of medications including controlled substances
- 2) Storage and disposal of medications
- 3) Appropriate and correct record keeping
- 4) Appropriate actions when unusual circumstances or medication reactions occur
- 5) Appropriate use of resources

6. PARENT/LEGAL GUARDIAN

A. The parent/legal guardian who wishes medication administered to his/her child shall provide the following:

- 1) A letter of request and authorization that contains the following information:
  - a. the student's name
  - b. clear instructions for school administration
  - c. RX number, if any
  - d. current date
  - e. student's diagnosis
  - f. name, amount of each school dose, time of school administration, route of medication, and reason for use of medication
  - g. physician's/dentist's/other authorized prescriber name
  - h. the parent's/legal guardian's printed name and signature
  - i. parent's/legal guardian's emergency phone number
  - j. statement granting or withholding release of medical information
- 2) A written order for each medication to be given at school, including annual renewals at the beginning of the school year. The new orders dated before July of that school year shall not be accepted. No corrections shall be accepted on the physician's *Medication Order* form.

Alteration of this form in any way or falsification of the signature is grounds for prosecution. Orders for multiple medications on the same form, an incomplete form, or a form with a physician's/dentist's/other authorized prescriber's stamp shall not be accepted. Faxed orders may be accepted; original orders must be received within five (5) business days.

- 3) A prescription for all medications to be administered at school, including medications that might ordinarily be available over-the-counter. **Only** the physician/dentist/other authorized prescriber or his/her staff may write on the *Medication Order* form. This form must be signed by the physician/dentist/other authorized prescriber.
- 4) A list of all medications that the student is currently receiving at home and school, if that listing is not a violation of confidentiality or contrary to the request of the parent/legal guardian or student.
- 5) A list of names and telephone numbers of persons to be notified in case of medication emergency in addition to the parent/legal guardian and licensed physician/dentist/other authorized prescriber.
- 6) Arrangements for the safe delivery of the medication to and from school in the properly labeled container as dispensed by the pharmacist; the medication must be delivered by a responsible adult. The parent/legal guardian will need to get two (2) containers for each prescription from the pharmacist in order that the parent/legal guardian, as well as the school, will have a properly labeled container. If the medication is not properly labeled and does not match the physician's order exactly, it will not be given.



- B. All aerosol medications shall be delivered to the school in pre-measured dosage.
- C. Provide no more than a thirty-five (35) school day supply of medication in a properly labeled container to be kept at school.
- D. The initial dose of a medication shall be administered by the student's parent/legal guardian outside the school jurisdiction with sufficient time for observation for adverse reactions.
- E. The parent/legal guardian shall work with those personnel designated to administer medication as follows:
  - 1) Cooperate in counting the medication with the designated school personnel who receives it and sign the *Drug Receipt* form.
  - 2) Cooperate with school staff to provide for safe, appropriate administration of medications to students, such as positioning, and suggestions for liquids or foods to be given with the medication.
  - 3) Assist in the development of the emergency plan for each student.
  - 4) Comply with written and verbal communication regarding school policies.
  - 5) Grant permission for school nurse/physician/ dentist/other authorized prescriber consultation.
  - 6) Remove or give permission to destroy unused, contaminated, discontinued, or out-of-date medications according to the school guidelines.

## 7. STUDENT SELF-MEDICATION

Only those medical conditions which require immediate access to medications to prevent a life threatening or potentially debilitating situation shall be considered for self-administration of medication. Compliance with the school policy for a drug-free zone shall also be met, if possible.

### Asthma or the Use of Auto-Injectable Epinephrine

Self-administration of medications by a student with asthma or the use of auto-injectable epinephrine by a student at risk of anaphylaxis shall be permitted by the School Board, provided the student's parent or other legal guardian provides the school in which the student is enrolled with the following documentation:

- A. Written authorization for the student to carry and self-administer such prescribed medications,
- B. Written certification from a licensed medical physician or other authorized prescriber that the student:
  - 1) has asthma or is at risk of having anaphylaxis
  - 2) has received instruction in the proper method of self-administration of the student's prescribed medications to treat asthma or anaphylaxis
- C. A written treatment plan from the student's licensed physician or authorized prescriber for managing asthma or anaphylactic episodes. The treatment plan shall be signed by the student, the student's parent or other legal guardian, and the student's physician or other authorized prescriber. The treatment plan shall contain the following information:
  - 1) The name, purpose, and prescribed dosage of the medications to be self-administered.

- 2) The time or times the medications are to be regularly administered and under what additional special circumstances the medications are to be administered.
  - 3) The length of time for which the medications are prescribed.
- D. The school nurse has evaluated the situation and deemed it to be safe and appropriate; documented this on the student's cumulative health record; and has developed a medication administration plan for general supervision. The administration plan may include observation of the procedure, student health counseling and health instruction regarding the principles of self-care.
- E. Any other documentation required by the School Board.

The required documentation shall be maintained in the office of the school nurse or other designated school official.

The School Board shall inform the parent or other legal guardian of the student, in writing, that the school and its employees shall incur no liability as a result of any injury sustained by the student from the self-administration of medications used to treat asthma or anaphylaxis. The parent or other legal guardian of the student shall sign a statement acknowledging that the school shall incur no liability and that the parent or other legal guardian shall indemnify and hold harmless the school and its employees against any claims that may arise relating to the self-administration of medications used to treat asthma or anaphylaxis.

A student who has been granted permission to self-administer medication by the School Board shall be allowed to carry and store with the school nurse or other designated school official an inhaler or auto-injectable epinephrine, or both, at all times.

Permission for the self-administration of asthma medications or use of auto-injectable epinephrine by a student shall be effective only for

the school year in which permission is granted. Permission for self-administration of asthma medications or the use of auto-injectable epinephrine by a student shall be granted by the School Board each subsequent school year, provided all of the requirements of this part of the policy are fulfilled.

Upon obtaining permission to self-administer asthma medication or to use auto-injectable epinephrine, a student shall be permitted to possess and self-administer such prescribed medication at any time while on school property or while attending a school-sponsored activity. A student who uses any medication permitted by this policy in a manner other than as prescribed shall be subject to disciplinary action; however, such disciplinary action shall not limit or restrict such student's immediate access to such prescribed medication.

*Auto-injectable epinephrine* means a medical device for the immediate self-administration of epinephrine by a person at risk for anaphylaxis.

*Inhaler* means a medical device that delivers a metered dose of medication to alleviate the symptoms of asthma.

### Other Permitted Medications

Self-administration of other medications by a student may be permitted by the School Board, provided that:

- A. *Medication Order* from the physician or authorized prescriber and from the student's parent or guardian shall be on file and communication with the prescriber has been established.
- B. The school nurse has evaluated the situation and deemed it to be safe and appropriate; and has developed a medical administration plan for general supervision. The administration plan may include observation of the procedure, student health counseling and health instruction regarding the principles of self-care.

- C. The principal and appropriate staff are informed that the student is self-administering the prescribed medication.
- D. The medication is handled in a safe, appropriate manner.
- E. The school principal and the school employed registered nurse determine a safe place for storing the medication.

The medication must be accessible if the student's health needs require it; this information is included in the medication administration plan.

- F. Some medication should have a backup supply readily available.
- G. The student records the medication administration and reports unusual circumstances (as a general rule the student must record all dates and times he/she is self-medicating during school hours. The medication log shall be kept in the main office where the student shall record this information unless otherwise noted on the student's *Individual Administration Plan*).
- H. The school employed registered nurse, and/or the designated employee monitors the student.

## 8. ACCEPTABLE SCHOOL MEDICATIONS

School medication orders shall be limited to medications which cannot be administered before or after school hours. Parents may come to school and administer medication to their children at any time during the school day following submission of proper physician's authorization for medications and arrangements with the school principal.

Medications which may be considered as acceptable under this policy:

- A. Medication to modify behavior (e.g., Ritalin, when the sustained action form of this medication is not effective.)
- B. Severe allergic reactions - must have specific written instructions from a physician.
- C. Anticonvulsive medication.
- D. Medication for asthma.
- E. Medication given in extenuating circumstances.
- F. Non-prescription (over-the-counter) drugs will only be given if medical certification of extenuating circumstances and prescription is obtained.
- G. Antibiotics and other short-term medications will not be given at school, unless so ordered by a physician, dentist, or authorized prescriber.
- H. The school nurse or trained school employee shall have the authority to administer auto-injectable epinephrine, as defined elsewhere in this policy, to a student who the school nurse or trained school employee believes is having an anaphylactic reaction, whether or not the student has a prescription for epinephrine. At least one employee at each school shall receive training from a registered nurse or licensed medical physician in the administration of epinephrine.
- I. Other specific illnesses that require medication.

9. DIABETES

Each student with diabetes who seeks care for his/her diabetes while at school or while participating in a school-related activity shall submit a diabetes management and treatment plan **on an annual basis. Such plan shall be developed by a physician licensed in**

**Louisiana or adjacent state, or other authorized health care prescriber licensed in Louisiana who is selected by the parent or legal guardian to be responsible for such student's diabetes treatment. School-related activities include, but are not limited to, extracurricular activities and sports.**

A student's diabetes management and treatment plan **shall be kept on file in the school in which the student is enrolled and** shall contain:

- A. An evaluation of the student's level of understanding of his/her condition and his/her ability to manage his/her diabetes.
- B. The diabetes-related healthcare services the student may receive or self-administer at school or during a school-related activity.
- C. A timetable, including dosage instructions, of any diabetes medications to be administered to the student or self-administered by the student.
- D. The signature of the student **(if age appropriate)**, the student's parent or legal guardian, and the physician **or other authorized health care prescriber** responsible for the student's diabetes treatment.

The parent or legal guardian of a student with diabetes shall annually submit a copy of the student's diabetes management and treatment plan to the principal **or appropriately designated school personnel** of the school where the student is enrolled. The plan shall be reviewed by appropriate school personnel either prior to or within five (5) days after the beginning of each school year, or upon enrollment if the student enrolls after the beginning of the school year or as soon as practicable following the student being diagnosed with diabetes, **or as warranted by changes in the student's medical condition.**

**Upon receipt of the student's diabetes management and treatment plan, the school nurse shall conduct a nursing assessment of the student's condition and develop an Individualized Healthcare Plan**

**(IHP). The school nurse shall be given not less than five (5) school days to develop the IHP and shall implement the IHP within ten (10) school days of receipt of the diabetes treatment plan. The school nurse must assess the stability of the student's diabetes both at home and in the school setting prior to the development of the IHP for care in the school setting.**

**The parent or legal guardian shall be responsible for all care related to the student's diabetes management and treatment plan until the IHP is developed, the parents or legal guardian have agreed to and signed the IHP, and the diabetes management and treatment plan is put into place by the school nurse.**

~~The school nurse or a trained, unlicensed diabetes care assistant shall provide care to a student with diabetes, or assist a student with his/her self-care of diabetes, in accordance with the student's diabetes management and treatment plan. The principal shall be responsible for having adequate school staff to provide appropriate diabetes care in accordance with the student's diabetes management and treatment plan. A trained, unlicensed diabetes care assistant may only provide diabetes care if the student's parent or legal guardian has signed an agreement authorizing such care and the agreement is on file with the school. An *unlicensed diabetes care assistant* means a school employee who volunteers to be trained in accordance with state law.~~

**The School Board may utilize an unlicensed diabetes care assistant to provide appropriate care to a diabetic student, or assist a student with self-care of his/her diabetes, in accordance with the student's diabetes management and treatment plan, the student's IHP, and regulations contained in *Health and Safety, Bulletin 135*. An *unlicensed diabetes care assistant* is defined as a school employee who is not a healthcare professional, who is willing to complete training requirements established by BESE, and is determined competent by the school nurse to provide care and treatment to students with diabetes.**

In accordance with the student's diabetes management and treatment plan, the student shall be permitted to self-manage his/her



diabetes care **as outlined in the student's management and treatment plan.**

With written permission of a student's parent or legal guardian, a school may provide a school employee with responsibility for providing transportation for a student with diabetes, or supervising a student with diabetes with an off-campus activity. An information sheet with pertinent information about the student's condition and contact information in cases of emergency shall be provided the employee.

10. ADMINISTRATION OF MEDICATION ON FIELD TRIPS AND OTHER EXTRACURRICULAR ACTIVITIES

If a student with an identified medical need is to attend a field trip or other school-sponsored activity, the parents shall be notified to ascertain if any medication must be administered while on the field trip or school-sponsored activity away from school. If so, the parent/legal guardian shall accompany the student to the activity to administer any medication.

If the parent/legal guardian cannot attend the field trip/activity with his/her child, the parent/legal guardian shall request, in writing, that the medication be administered on a pending field trip/activity by a non-School Board employee designated by the parent, or another trained person designated by the School Board. Such request shall include supporting documentation as outlined in this policy. The request shall state that the parent/legal guardian gives permission for the designee or another trained person to administer the medication. If the parent does not designate a non-School Board employee to attend the field trip/activity, once the proper documentation has been submitted, the School Board shall assign a trained School Board employee to accompany the student on the field trip or other school-sponsored activity.

~~In the event that a trained, unlicensed School Board employee, the parent/legal guardian, a non-School Board employee designated by the parent/legal guardian, or a child-specific school nurse is not~~

~~available to attend the field trip, the school nurse shall be contacted for other possible alternatives.~~

#### 11. EXTENDED DAY CARE

In the event that a student attends extended day care and requires medication outside school hours (before or after school), medication orders that include the dosage(s), time(s), and medication(s), shall be obtained from the physician/dentist/other authorized prescriber before any administration of medication may be administered by properly trained personnel.

#### 12. STUDENT CONFIDENTIALITY

All student information shall be kept confidential. The parent/legal guardian shall be required to sign the *Authorization for Release of Confidential Information* form, so that health information can be shared between the School Board and health care providers, such as hospitals, physician, service agency, school nurse, and/or other health provider.

Revised: June 1999

Revised: December 2001

Revised: October 2008

Revised: December 2009

Revised: February 2013

**Revised: August 2013**

Ref: La. Rev. Stat. Ann. §§17:81, 17:436.1, 17:436.3; *Health and Safety*, Bulletin 135, Louisiana Department of Education; Board minutes, 6-15-99, 12-18-01, 10-21-08, 12-15-09, 2-19-13.

Ms. Joseph presented recent legislative revisions to policy FILE: H-12 Student Records.

#### **RECOMMENDATION NO. 7**

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

following revised policy FILE: H-12 Student Records:

**FILE: H-12**  
**Cf: G-9.4a**

## **STUDENT RECORDS**

Parents and guardians have the right to inspect and review any school records dealing with their children. Students eighteen (18) years of age or older have the sole right to inspect and review their respective student records. Review and dissemination of any student information shall be conducted under strict statutory precautions. *Student records* are defined to be all official records, files, documents, and other materials directly related to children, including all material that is incorporated into each student's cumulative record folder, and intended for school use or to be available to parties outside the school or school system. Such items include, but are not necessarily limited to, identifying data, academic work completed, grades, standardized test scores, attendance data, scores on standardized intelligence, aptitude, and psychological tests, and health data.

### ANNUAL NOTIFICATION

All parents/guardians shall be notified annually of their rights under the *Family Educational Rights and Privacy Act of 1974* (FERPA). Such notification shall be made annually by publication in student handbooks, newsletters, notification to student's home by students, by mail, or publication in the official journal or in such manner as deemed appropriate by the **School** Board.

### DIRECTORY INFORMATION

Information classified as directory information may be disclosed from a student's record without the written consent of the parent or eligible student. *Directory information* has been designated by the School Board to include the student's name, address, telephone number, date and place of birth, grade level, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic

teams, dates of attendance, degrees and awards received, most recent previous school attended and photograph or video. A parent or eligible student may refuse to allow the **School** Board to designate any or all of the types of information about the student as directory information thus prohibiting its release to the public. After proper notice, a parent or eligible student shall have thirty (30) days in which to notify the School Board as to which types of information about the student shall not be designated as directory information.

In accordance with the *No Child Left Behind Act of 2001*, schools shall honor the requests of military recruiters for names, addresses and phone numbers of high school students, unless parents have specified that such information not be released to such recruiters.

### ACCESS TO RECORDS

1. The parent or legal guardian of a student ~~will have~~ **shall be provided** access to student records upon written request to the principal maintaining those records within the school system no more than forty-five (45) days after the date of the request.

If the student is eighteen (18) years or older, only the student has the right to determine who, outside the school system, has access to his/her records.

The parent, legal guardian or student, if the student is eighteen (18) or over, will, upon written request to the principal maintaining those records, have the opportunity to receive an interpretation of those records, have the right to question those data, and if a difference of opinion is noted, shall be permitted to file a letter in said cumulative folder stating their position. If further challenge is made to the record, the normal appeal procedures established by **School** Board policy will be followed.

2. School personnel having access to those data are defined as any person or persons under contract to the system and directly involved in working toward either the affective or cognitive goals of the system.

## RELEASE OF INFORMATION OUTSIDE THE SCHOOL SYSTEM

1. To release student records to other schools or school systems in which the student intends to enroll, the parents, legal guardian or the student, if he/she is eighteen (18) years or over, must be notified of the transfer and the kinds of information being released. They shall receive a copy of such information if it is requested in writing and shall have the opportunity to challenge that record as described above.
2. Those data may be released to State Education and other governmental agencies only if the names and all identifying markings are removed to prevent the identification of individuals.
3. To release student records to other persons or agencies, written consent shall be given by the parent, legal guardian or the student if he/she is 18 or older. Such consent form shall state which records shall be released, to whom they shall be released and the reason for the release. A copy of the student record being sent shall be made available to the person signing the release forms if he/she so desires.
4. The principal of a public elementary or secondary school shall provide for the transfer of the education records, **including special education records, if applicable**, of any current or former student at his/her school upon the written request of any authorized person on behalf of a public or nonpublic elementary or secondary school, or an educational facility operated within any correctional or health facility, whether within or outside the state of Louisiana, where such student has become enrolled or is seeking enrollment. Under no circumstances may a school or school district refuse to promptly transfer the records of any child withdrawing or transferring from the school. Transfer of records, **whether by mail or otherwise**, shall ~~not exceed~~ **occur no later than** ten (10) business days from the date of receipt of a written request.
5. Student records shall be furnished in compliance with judicial orders or pursuant to any lawfully issued subpoena if the parents, legal guardian and students are notified in advance.

6. All authorizations for release of information shall be filed in the student cumulative folder.
7. The School Board and employees may disclose education records or information from education records, *without the consent* of the parent or guardian of the student who is the subject of the records, to certain law enforcement officials. Disclosure of such records or information shall be in accordance with the following provisions:
  - A. Disclosure of education records or information from education records shall *only* be made to state or local law enforcement officials or to other officials within the juvenile justice system. Verification of the official's position may need to be made before the disclosure of records or information.
  - B. The disclosure of the education record or information must relate to the ability of the juvenile justice system to serve, prior to adjudication, the student whose records or information is to be disclosed.
  - C. The officials to whom the records or the information are disclosed shall certify in writing that that person, and any agency or organization with which that person is affiliated, shall keep the personally identifiable portions of the records or the information confidential and shall not disclose the personally identifiable portions of the records or the information to any person, agency, or organization except a person, agency, or organization within the juvenile justice system having an independent right to the information.
  - D. Any other provisions necessary to comply with federal law or rules.

#### REVIEW OF STUDENT RECORDS BY THE PARENT

1. Schools shall provide for the review of student records by parents or guardians. Parents and students shall be given notification of their right to review the student records.

2. A parent or guardian who desires to review his/her child's record shall contact the school for an appointment. A conference shall be scheduled as soon as possible, not to exceed one month. The disclosure record shall be completed at the time of the conference.

Prior to the scheduled conference, the principal shall review the record for accuracy and completeness.

3. The record shall be examined by the parent in the presence of the principal or a designated professional person.

A. The principal or his/her designee attending the review shall:

- 1) Explain the record keeping system of the school, noting the types of records and why they are kept.
- 2) Provide the parent or guardian the opportunity to examine each record.

Records which shall be included are:

- a. Cumulative Record
- b. Application for Admission
- c. Immunization Records, if applicable
- d. Attendance Records
- e. Class Grade Record
- f. Any other records maintained by the School District

B. The principal or a designated professional person shall provide the parent an opportunity to raise questions regarding information on the records.

C. A record of the review shall be made on the disclosure record.

4. If the parent or guardian requests a hearing to challenge information contained in the student's folder, a written request for the hearing shall be made and a hearing scheduled for a date not less than three

(3) working days or more than two (2) weeks from the date of the requests.

- A. The hearing shall be held with the principal and the parent or guardian at the scheduled time.
- B. If the parent or guardian is not satisfied with the hearing with the principal, he/she shall have the opportunity to appeal the decision to the Superintendent or designee(s).
- C. The parent or guardian shall request the appeal in writing to the Superintendent.

Upon receipt of said request, the Superintendent shall schedule a hearing within ten (10) working days following receipt of the parent's request. The date, time and place of the review hearing shall be sent to the parent or guardian by United States registered or certified mail, return receipt requested.

- 5. At the review hearing:
  - A. The Superintendent or designee shall preside;
  - B. The parent or guardian and the principal shall be present. The student shall be present if requested by the parent or guardian or school official;
  - C. The decision of the hearing shall be communicated to the school and parent or guardian in writing within ten (10) working days;
  - D. The parent shall have the right to file a dissenting statement concerning the hearing; such statement shall become part of the student's cumulative folder.

### CUMULATIVE CARDS

The principal shall be responsible for keeping an accurate and complete



record of the work done by each pupil during each year that he/she attends school under the jurisdiction of said principal. While this responsibility may be delegated to a teacher or a secretary, the final responsibility for the completeness and accuracy of these records shall rest with the principal.

1. If a child transfers from one school to another within the parish, the principal of the second school attended by the child should request that the principal of the former school send the cumulative card of said child to the principal of the new school attended.
2. The cumulative cards of dropouts should be filed with the principals of the secondary schools for a period of two (2) years after which these records will be transferred to the School Board office building where they shall become part of the inactive records.

### STUDENT HEALTH RECORDS

The Terrebonne Parish School Board is cognizant of its statutory obligation to enforce immunization and health requirements specified in state law in order to maintain the proper health environment for protection of all school children enrolled with the schools of the district.

1. The supervisor, child welfare and attendance, and the supervisor, school nurse programs, shall be permitted to check health records of students to see that immunization statute is being enforced.
2. Survey teams, whose proper function under our state or federal laws is the public health, shall be permitted to see any cumulative folder of a student for medical purposes.
3. Copy of medical records may be shared with any agency involved in early and periodic screening, diagnosis and treatment (EPSDT) without a release signed by the parent or guardian.

July 1999

Revised: December 2001

Revised: February 2003

Revised: February 2010

**Revised: August 2013**

Ref: 20 USC 1232 (g-i) (Family Educational Rights and Privacy Act), 20 USC 7908 (**Armed Forces Recruiter Access to Student Information**), 34 CFR 99.1-99.67 (**Family Educational Rights and Privacy – Federal Regulations**); La. Rev. Stat. Ann. §§**9:351**, 17:81, **17:112, 17:221.3, 17:1955, 44:4, 44:4.1, 44:31, 44:32**; **La. Civil Code, Art. 131, 134, 250**; Board minutes, 7-20-99, 12-18-01, 8-15-03, 2-23-10.

Mrs. Mary Aucoin, Supervisor of Special Education, presented the 2013-2014 Interagency Agreement for the Head Start Program (attachment). She said there were no changes from what's been done in the past. Ms. Diane Powell, Head Start Administrator for Terrebonne Parish Consolidated Government addressed the Committee regarding the current Interagency Agreement.

### **RECOMMENDATION NO. 8**

**The Committee recommends** that the Board approve, as presented, the Interagency Agreement between the Terrebonne Parish School Board and the Terrebonne Parish Head Start Program for the 2013-2014 school year and authorize the Board President to sign all necessary documents pertaining thereto.

Mrs. Stacy Solet, Supervisor of Elementary Education (K-8)/State Assessment and Testing, updated the Committee regarding several important changes to the Pupil Progression Plan (PPP) for the 2013-2014 school year (attachment).

### **RECOMMENDATION NO. 9**

**The Committee recommends** that the Board approve, as presented, revisions to the Pupil Progression Plan for the 2013-2014 school year.

Dr. Debra Yarbrough, Supervisor of Personnel, presented new policy FILE: E-5.3a Workers' Compensation.

### **RECOMMENDATION NO. 10**

**The Committee recommends** that the Board approve, as presented, the following new policy FILE: E-5.3a Workers' Compensation:

**FILE: E-5.3a**  
**Cf: F-11.13**

### **WORKERS' COMPENSATION**

The Terrebonne Parish School Board shall authorize and direct the Superintendent to ensure workers' compensation coverage for its employees. Employees injured while acting in their official capacity shall be entitled to appropriate workers' compensation benefits prescribed under state statutes for the period of time while injured. Any employee reporting an injury or incapacitation due to a work-related accident shall be required to submit proper certification of the injury and/or incapacitation from a licensed physician.

At the time of employment, all employees shall be required to complete a questionnaire about their health and any previous accidents, injuries, or workers' compensation claims submitted, which shall be maintained in the employee's personnel file.

### **REPORTING OF ACCIDENTS**

Accidents which occur while in service with the Terrebonne Parish School Board must be reported immediately by the employee to his/her immediate supervisor, wherein the *Employer's First Report of Injury Form* shall be completed and signed by the employee and by the supervisor/administrator in charge. Particular emphasis will be required in listing the names and addresses of witnesses to the accidents. A detailed report shall be submitted by the employee's supervisor to the Superintendent or designee within three (3) days of the accident. Additional written commentary about the accident may also be required

from the employee's supervisor. Periodic medical exams and subsequent reports verifying prolonged disability may be required as needed. Failure to report accidents when they occur shall be considered neglect of duty.

FRAUDULENT CLAIMS WILL BE CONSIDERED AN ACT OF DISHONESTY BY THE EMPLOYEE AND SHALL SUBJECT THE EMPLOYEE TO DISMISSAL.

Immediately following any accident, whether or not injury occurs, the administrator of the school or facility shall file an *Investigation of Accident Report* with the Superintendent or designee. If an injury occurs, an LWC-WC-1007 Form (*Louisiana Workforce Commission Worker's Compensation Form 1007*) must also be completed.

### BENEFITS

Employees injured while on official school business are entitled to applicable workers' compensation benefits in accordance with state law. Workers' compensation benefits are generally paid in accordance with the following:

1. Weekly workers' compensation wage benefits do not begin until an employee has been disabled for more than one week (7 calendar days). If the employee is absent for two (2) weeks or longer, he/she is entitled to receive wage benefits for the first week of that disability.
2. As a general rule, an employee's weekly wage benefits under workers' compensation can be calculated by dividing his/her annual salary by 52 weeks and multiplying by 66-2/3%, up to the maximum average weekly wage (AWW) calculated by the State each year.
3. Sick leave benefits may be used to supplement workers' compensation benefits but only up to 100% of the *teacher's* salary at the time of injury. If a *teacher* chooses to utilize current and accumulated sick leave benefits, his/her balance of current and accumulated sick leave days will be reduced by the corresponding percentage of the teacher's salary paid for

with sick leave benefits.

If an employee who has chosen to simultaneously receive both workers' compensation wage benefits and current and accumulated sick leave benefits exhausts all sick leave days, he/she shall thereafter receive only workers' compensation wage benefits.

### ALCOHOL AND DRUG USE

No workers' compensation benefits shall be allowed for an injury caused by the injured employee's intoxication at the time of injury.

In order to support a finding of intoxication due to alcohol or drug use, the School Board shall have the right to administer drug and alcohol testing or demand that the employee submit to drug and alcohol testing immediately after the alleged job accident. If the results of the drug test are positive, or the alcohol tests show blood alcohol equal to or greater than the limits outlined in state law, the employee shall be considered intoxicated, in which case the employee shall not be entitled to any workers' compensation benefits.

If the employee refuses to submit to drug and alcohol testing immediately after the accident, then it shall be presumed that the employee was intoxicated at the time of the accident, in which case the employee shall not be entitled to any workers' compensation benefits.

All drug and alcohol testing shall be in accordance with state law and Board policy (see procedures in policy *F-12.5 Drug and Alcohol*).

### LOSS CONTROL

The School Board, recognizing the potential severity of on-the-job injuries and its costs to the school system and employees, shall require the Superintendent to maintain an aggressive loss control program aimed at reducing and controlling risks of personal injury to employees and property damage to School Board facilities. The loss control program shall assure compliance with all safety and health laws, ordinances, and regulations

that apply to the work place.

SETTLEMENT OF CLAIMS

The Superintendent shall be authorized to settle workers' compensation claims after consultation with School Board counsel and the third-party claims administrator.

New policy: August 2013

Ref: La. Rev. Stat. Ann. §§17:1201, 23:1021, 23:1031, 23:1034, 23:1081, 23:1121, 23:1124, 23:1201, 23:1208.1, 23:1224; Israel v. Gray Ins. Co., 720 So2d 803 (98-525 La. App. 3 Cir. 10/28/98).

There being no further business to come before the **Education and Policy Committee**, the meeting adjourned at 5:50 P.M.

Respectfully submitted,

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Richard Jackson, Chairman

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Donald Duplantis, Vice-Chairman

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Dr. Brenda Leroux Babin

DC

**TERREBONNE PARISH SCHOOL BOARD  
201 STADIUM DRIVE  
HOUMA, LOUISIANA 70360**

August 20, 2013

Dear Members of the Board:

**The Buildings, Food Service, and Transportation Committee** met on Monday, August 12, 2013, at 5:00 P.M. in the Board Room of the School Board Office, 201 Stadium Drive, with the following members present: Mr. Hayes J. Badeaux, Chairman, Mr. Gregory Harding, Vice-Chairman, and Mr. L. P. Bordelon, III. Others in attendance were Mr. Roger Dale DeHart, Mr. Donald Duplantis, Mr. Richard Jackson, Superintendent Philip Martin, and members of the staff.

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

Mrs. Monica Walther, Supervisor, Child Nutrition Program, addressed the Committee regarding permission to advertise for six (6) months bids for Meats and Frozen Items, and Canned and Dry Goods; and for yearly (2013-2014) bids for Kitchen Equipment.

**RECOMMENDATION NO. 1**

**The Committee recommends** that the Board authorize the Child Nutrition Department to proceed with the advertisement of six (6) months (January 1, 2014 - June 30, 2014) bids for Meats and Frozen Items, and Canned and Dry Goods and authorize the Board President to sign all necessary documents pertaining thereto.

**RECOMMENDATION NO. 2**

**The Committee recommends** that the Board authorize the Child Nutrition Department to proceed with the advertisement of yearly (2013-2014) bids

for Kitchen Equipment and authorize the Board President to sign all necessary documents pertaining thereto.

Mr. Jack Moore, Risk Manager, addressed the Committee regarding the renewal of the Cooperative Endeavor Agreement between Terrebonne Parish School Board and Vandebilt Catholic High School for bus usage (see attached).

### **RECOMMENDATION NO. 3**

**The Committee recommends** that the Board renew the current Cooperative Endeavor Agreement between Terrebonne Parish School Board and Vandebilt Catholic High School regarding the use of buses and authorize the Board President to sign all necessary documents pertaining thereto.

Mr. Daniel Bruce, Jr., AIA, Cheramie and Bruce Architects, APC, addressed the Committee regarding an update on South Terrebonne High School's Elevator Project (see attached).

### **RECOMMENDATION NO. 4**

**The Committee recommends** that the Board ratify a change order to increase the contract time by forty-three (43) days, changing the completion date from August 25, 2013, to October 7, 2013, for South Terrebonne High School's Elevator Project, and further, authorize the Board President to sign all necessary documents pertaining thereto.

Mr. Merlin Lirette, AIA, CEF, The Merlin Group, LTD, addressed the Committee regarding an update on the New Grand Caillou Middle School (see attached).

Mr. DeHart addressed the Committee regarding H. L. Bourgeois High School property and requested a map of said property. Mr. Lirette stated he would provide a detailed map of the property at the next Buildings, Food Service, and Transportation Committee meeting.



Mr. Donald Chamberlain, Plant Operations Manager, addressed the Committee regarding school flashing lights.

The Committee requested Superintendent Martin to look into the issue regarding school flashing lights.

There being no further business to come before the **Buildings, Food Service, and Transportation Committee**, the meeting was adjourned at 5:30 P.M.

Respectfully submitted,

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Hayes J. Badeaux, Chairman

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Gregory Harding, Vice-Chairman

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L. P. Bordelon, III

JB