

## **EMPLOYEE INVESTIGATIONS**

### GENERAL INVESTIGATIONS

In the event that a Livingston Parish School Board member or staff member believes a condition exists within the school system that warrants investigation by the staff, such person must convey his/her concerns to the Superintendent or designee. He/she will have the matter investigated by appointing appropriate staff personnel (one or more persons) to make the necessary inquiries. At the conclusion of their investigation, a report must be prepared for submission to the Superintendent.

No School Board member will participate in any investigation undertaken in the school system under this title.

In any investigation into incidents involving accidents or injuries to students or employees, or involving student misconduct, or the competence, honesty or performance of duties of School District employees, all employees of the Livingston Parish School District must, upon reasonable request by the Superintendent or his/her designee, give a statement of the facts and circumstances within the employee's knowledge, or an accounting of the employee's conduct concerning the circumstances which are the subject of the investigation or are related to the matter being investigated.

If deemed appropriate by the Superintendent or his/her designee in the conduct of such investigation, employees of the School District must, upon reasonable notification, appear at the offices of the Superintendent or at such other suitable location within the parish as might be appropriate and convenient in the investigation.

During any such employee interview, the employee may have legal representation if desired by the employee, but said representation will be at no cost to the School District.

### IMPERMISSIBLE CORPORAL PUNISHMENT OR MORAL OFFENSES

If an employee is accused of impermissible corporal punishment, or of a moral offense involving a student, a prompt, thorough investigation must be conducted by the Superintendent or designee. Additionally, the parents and/or guardians of the student will be contacted as soon as practicable under the existing circumstances for accusations involving a moral offense. The investigation must proceed as outlined below under *Investigation Procedures*. A written report of the results of the investigation will be prepared, and the employee will be provided with a copy of such report. The Superintendent may promulgate such administrative regulations and procedures as he/she deems necessary to implement this policy. Any employee found to have violated the provisions of School Board policy must be disciplined by such means as appropriate to the incident, including reprimand, suspension, termination, and/or referral to the local child protection agency/law enforcement.

If the allegation falls within the definition of *abuse* as defined in state law, then all school employees with knowledge of such incidents become *mandatory reporters* and the allegations must be reported to child protection or law enforcement as provided by state law and School Board policy (see policy *JGCE, Child Abuse*). Such reporting will be made and applied in conjunction with the procedures outlined in this policy.

## TITLE IX SEXUAL HARASSMENT INVESTIGATIONS

Any investigation of sexual harassment under Title IX of the Education Amendments of 1972 (Title IX) and Part 106 of Title 34 of the United States Code of Federal Regulations will be conducted in accordance with the procedures developed and maintained by the Superintendent or his/her designee under the provisions of policy *JAAA, Title IX Sexual Harassment*.

## INVESTIGATION PROCEDURES

Any complaint relative to employee conduct will be handled as follows:

1. The Superintendent or his/her designee may order such investigation to be conducted in each instance as is warranted by the circumstances, and must conduct an investigation when required by law or School Board policy.
2. The investigation must be conducted by the Superintendent or his/her designee. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint. Staff members or students may be interviewed if it is deemed essential to the investigation.
3. The Superintendent or his/her designee will confer with each accused employee's immediate supervisor concerning the results of the investigation and the immediate supervisor will discuss the matter with the employee.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, must be issued by the Superintendent or his/her designee and a copy forwarded to the complainant no later than (30) days after its filing.
5. If a complaint is substantiated, the Superintendent will consider appropriate disciplinary action which may be taken in accordance with School Board policy, which may include termination. Any disciplinary action must be noted in the offender's personnel file to reflect the action taken and the grounds thereof.

## CONFIDENTIALITY

The School District will attempt to protect the privacy of the complainant and the

respondent, but confidentiality is not guaranteed. Information regarding the complaint and identities of complainants, respondents, and witnesses may be revealed as permitted or required by law, and as is necessary to conduct the investigation and enforce the consequences of the investigation.

Revised: August 6, 2020  
Ratified: August, 20, 2020

Ref: 34 CFR 106 et seq. (*Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*); tLa. Rev. Stat. Ann. §§14:403, 17:81, 17:81.6, 17:81.8, 17:223; Board minutes, 5-89, 11-91, 11-92, 8-6-20, 8-20-20.