

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM
Policy # II.3.016

Title: Employment Procedures

Employee Categories and Definitions

The college employs individuals within several different employment categories. Each employee is categorized within the Human Resource System (HRS) and given a HRS Code, which represents his/her employment category. The Categories and Definitions are as follows:

CLASSIFIED STAFF

The employee-employer relationship for classified employees is governed by Civil Service Rules.

EMPLOYMENT AT WILL – UNCLASSIFIED ADMINISTRATIVE STAFF

Administrative staff members serve in their administrative positions at the pleasure or will of the Louisiana Community and Technical College System (LCTCS) Board of Supervisors. At-will employees: All non-classified, non-faculty employees who have accepted employment with LCTCS have entered into an “employment-at-will” agreement. Under this agreement, employees are free to resign at any time, with or without cause or reason. Similarly, LCTCS may terminate the employment relationship at any time, with or without prior notice.

NON-TENURED FACULTY

An appointment carries no assurance of reappointment, promotion, or tenure. Reappointments are made solely at the discretion of the institution with the approval of the Board. The non-reappointment of a faculty member does not necessarily reflect on the faculty member’s work record or behavior. The determination to reappoint, or not to reappoint, should be based upon review of the specific conditions relating to the position. The Chancellor is responsible for instituting action that ensures that each tenure-track faculty member is reviewed for renewal each year. Unless an appointment is of a temporary nature for a fixed term, notice that a probationary appointment is not to be renewed shall be given to the faculty member in advance of the expiration of the appointment.

Non-tenured faculty may be terminated for cause. Cause for discharge, termination of contract, or demotion in rank shall consist of conduct seriously prejudicial to the College or LCTCS such as infraction of law or commonly accepted standards of morality, insubordination, violation of institutional or Board rules and regulations, neglect of duty, incompetence, or other actions that impair the discharge of duties and the efficiency of the institution. Financial exigency also constitutes cause. The foregoing enumeration of cause shall not be deemed exclusive. Notice requirements are not applicable in the event of termination for cause.

TENURED FACULTY

Tenured faculty may be terminated for cause. Cause for discharge, termination of contract, or demotion in rank shall consist of conduct seriously prejudicial to the College or LCTCS such as infraction of law or commonly accepted standards of morality, insubordination, violation of institutional or Board rules and regulations, neglect of duty, incompetence, or other actions that impair the discharge of duties and the efficiency of the institution. Financial exigency also constitutes cause. The foregoing enumeration of cause shall not be deemed exclusive. Notice requirements are not applicable in the event of termination for cause. However, action to discharge, terminate, or demote shall not be arbitrary or capricious, nor shall it infringe upon academic freedom.

Each institution shall have a written policy for due process concerning academic dismissal for tenured faculty. This policy shall be on file with the system office. This policy shall provide for hearings before a committee that includes faculty members. Its findings and recommendations shall be forwarded to the Chancellor who shall make a final determination.

FACULTY

A continuous year-to-year teaching or librarian appointment that appears as a line item in the college's annual budget.

Faculty includes:

- 9-Month Faculty
- 10-Month Faculty
- 11-Month Faculty
- 12-Month Faculty (Excludes administrators with rank)

LIMITED APPOINTMENT FACULTY

An appointed teaching position that expires at the end of a specific period.

ADJUNCT FACULTY

A part-time faculty teaching position on a course-by-course contract.

REGULAR ACADEMIC SUPPORT STAFF

A continuous year-to-year, 9-, 10-, 11-, and 12-month academic, usually non-teaching, support appointment that is budgeted as a line item and primarily includes academic counselors (who may have faculty rank) and lab assistant positions.

TEMPORARY UNCLASSIFIED STAFF

An unclassified service position, paid on either an hourly or salary basis, involving duty assignments which are seasonal, temporary or part-time that shall not exceed a one-year appointment but is subject to renewal.

RESTRICTED CLASSIFIED APPOINTMENTS

A temporary classified service position, paid on an hourly basis for a maximum of six (6) calendar months.

GRANT EMPLOYEES

A position, which is externally funded through a grant. Unless employment conditions are specified in the grant, an individual hired as a grant employee adheres to the policies applicable to regular Bossier Parish Community College employees in comparable positions.

STUDENT EMPLOYEES

A Bossier Parish Community College student hired by the College Federal Work Study Program or Student Worker Program who is paid on an hourly basis.

CIVIL SERVICE COMMISSION APPROVED POLICY

CSR 6.5 (g) Rule – Hiring Rate: Extraordinary Qualifications/Credentials

Effective 12/99

Re-approved by CSC 12/06

Subject to provisions of Rule 6.29, if an applicant who is eligible for appointment under provisions of Chapter 7 and 8 of the Rules possesses extraordinary or superior qualifications/credentials above and beyond the minimum qualifications/credentials, the appointing authority may, at his own discretion, pay the employee at a rate above the minimum provided that:

1. such superior qualifications/credentials are verified and documented as job related,
2. the rate does not exceed the third quartile of the range for the affected job,
3. the rate is implemented in accordance with written policies and procedures established by the department; such policies shall be posted in a manner which assures their availability to all employees,
4. the appointment is Probational, provisional or a job appointment.

The employee may be paid upon hiring or at any time within one year of the hire date. If paid after the hiring date, the pay change must be prospective. The salaries of all current Probational and permanent employees who occupy positions in the same job title and who possess the same or equivalent qualifications/credentials may be adjusted up to but not to exceed the amount of the percent difference between the special hiring rate and the regular hiring rate provided that the qualifications/credentials are also verified and documented as job related and that the rate is implemented in accordance with written policies and procedures established by the department; such policies shall be posted in a manner which assures their availability to all employees. Such adjustments shall only be made on the same date that the higher pay rate is given to the newly hired employee.

If an employee with permanent status resigns and is then rehired into either the same position or into the same job title or a lower level job in his career progression group at the same agency, the employee shall not be eligible for an increase under this rule unless there has been a break in State service of at least 60 days.

The criteria for establishing the hiring rate is based upon the extraordinary qualifications and/or credentials held by the new employee that is above minimum qualifications and/or credentials required for the position. One percent above minimum for each year (month for month) of work experience related to experience required for the position. One percent above minimum for each year (month to month) of education related to experience required for the position. Five percent above minimum rate for previous employment or beginning a new appointment at BPCC provided that experience is related to position. Upon recommendation of hiring supervisor, adjustments may be made to salaries of current Probational and permanent employees who occupy positions in affected jobs and possess the same or equivalent qualifications/credentials. The adjustment will not exceed the amount of the percent difference between the special hiring rate and the regular hiring rate and not exceed the special hiring rate of the new employee. Criteria will be based on work experience and salary equity with other similar positions in the department.

Access to Employment Records

Employees have the right to know what information is contained in their personnel files and to examine those files upon request. The following people are entitled to access the information in their Personnel files:

1. All active employees
2. Employees who are active but not currently working, (e.g., leave of absence, sick leave, etc.)
3. Designated representatives of an employee

Documents that may be viewed include all records that may be considered in determining an employee's qualifications for employment, promotion, transfer, salary increase, disciplinary action, or discharge. Personnel files may be viewed only during working hours and must remain in the Office of Human Resources. The employee may remove no part of the file. An employee may make notes concerning or responding to any information contained in their personnel file. No copies of information may be made unless authorized by the Director of Human Resources. A copy charge may apply.

Employment References

The College continually receives requests for information about present or former employees concerning credit, qualifications, and work performance.

The Office of Human Resources will be responsible for the release of any and all data concerning present or former employees. Department heads and supervisors should refer all requests for this information to the Office of Human Resources. Department heads and supervisors may respond only as a personal reference for an employee.

Confidentially

Both law and ethics require the utmost discretion in discussing information about students or employees with anyone not entitled to the information.

Employees should give out confidential information only with authorization and only to people authorized to receive it.

Certain educational, medical, and other types of records are subject to specific state and federal laws and regulations. Employees may release these records only when the request is in compliance with legal requirements and College policy.

Unauthorized disclosure of legally protected information can result in civil liability or criminal penalties. The supervisor is responsible for informing employees about specific information regarding this policy as it applies to the individual department.

Inter-Office Mail

Documents routed through inter-office mail via the copy center or within departments should be enclosed in an approved inter-office envelope with tie closures.

LOUISIANA COMMUNITY & TECHNICAL COLLEGE
SYSTEM

Policy # 6.019

Title: Engagement in Political Activity

Authority: Board Action

Original Adoption: 12/10/03

Effective Date: 04/14/04

Last Revision: 04/14/04

A. Political Activity is defined as follows:

1. Payment or promise of payment of any assessment, subscription, or contribution for any political party, faction, or candidate.
2. Taking active part in the management of affairs of a political party, faction, candidate, or any political campaign.
3. Filming, taping, and participating in promotional announcements (i.e., **print**, television or radio ads) in support of any political party, faction, or candidate.
4. Lobbying.
5. Seeking and/or holding political office

B. General Policy:

The Board of Supervisors (“the Board”) of the Louisiana Community and Technical College System (LCTCS) fully supports every citizen’s right to exercise freedom of expression, as outlined within the Louisiana and Federal Constitutions, inclusive of the freedom of political expression or association.

The Board also recognizes that the LCTCS, as a public educational agency of the State of Louisiana, must maintain sufficient educational independence to work with all statewide and district-wide elected officials of the State and all agencies of the State, without consideration of political affiliation, to provide educational programs and services for all Louisiana citizens, regardless of the ethnicity, gender, or religious or political affiliation of those citizens. Thus, the Board has determined that certain political activity by employees of the LCTCS may be construed as conflicting with the educational independence of the LCTCS and thereby impairing the efficient operation of the LCTCS and the LCTCS’ employees’ ability to provide efficient delivery of educational programs and services. To preserve an appropriate standard of educational independence, the Board adopts the following ethical standards of conduct with respect to political activity by its employees:

1) Classified Employees:

The permissible and prohibited level of political activity of all classified employees of the LCTCS shall be governed by the provisions of Article 10, Section 9 of the Louisiana Constitution, Civil Service Rules 14.1(e), (f), and (g) and Civil Service General Circular No. 1449.

2) Unclassified Employees:

No teaching or professional staff member or administrative officer of educational institutions under the management and supervision of the LCTCS shall be prohibited from exercising their freedom of political expression or association; provided that, no such employee or officer shall act or express him/herself in any manner which suggests that the LCTCS or the Board has taken a position in support of any candidate or political party placed before the electors of the State. Further, no employee or officer of the LCTCS shall identify him/herself as an employee or officer of the LCTCS when expressing his/her opinion with respect to any candidate or political party placed before the electors of the State.

3) On-Premises Activity:

The placement of leaflets, cards, placards, etc, in support of a candidate or political party, on the campus of any educational institution under the management and supervision of the LCTCS, by an employee of the LCTCS, is prohibited.

C. Seeking and/or Holding Public Office:

Should an LCTCS employee, who is otherwise eligible, seek and/or hold public office, the following conditions shall apply:

- 1) All conditions of the LCTCS System Policy on Outside Employment of LCTCS employees must be met.
- 2) An employee is required to notify the institutional Chancellor of the said employee's intention to seek and hold public office prior to the date of qualification.
- 3) The employee is required to continue his/her normal workload, including his/her teaching duties, and to maintain all other duties and office hours required by the LCTCS institution, during the period of campaigning for and while holding public office.

If the employee is unable to meet condition (3) above, annual leave or leave without pay may be requested for the appropriate period of time, in accordance with the leave rules and policies of the LCTCS. Additionally, said employee shall not, in any way, suggest or indicate that he/she is a spokesperson for or on behalf of the affected institution or the LCTCS.

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM
POLICY NO. II.6.018
TITLE: OUTSIDE EMPLOYMENT OF LCTCS EMPLOYEES

Authority: LCTCS Board Action
Board of Regents Action
Ethics Board Action

Original Adoption: 12/12/01
Effective Date: 11/08/05
Last Revision: 12/12/01

I. Declaration of Policy; Definitions

The LCTCS recognizes that certain outside employment activities are of benefit to the System, to LCTCS institutions, to the State of Louisiana and to the private sector as well as to individual employees. Although the LCTCS recognizes a right of employees to engage in outside employment, it has established policies and procedures requiring that such outside employment be disclosed and submitted for administrative review and approval.

- A. All full-time employees of the LCTCS including faculty, other academic, unclassified and classified employees, are required to abide by this policy at all times, including during regular and summer term and while on paid or unpaid leave.
- B. Outside employment is defined as any non-LCTCS activity for which economic benefit is received, including but not limited to:
 1. employment with any non-LCTCS employer;
 2. contracts to provide consulting, personal or professional services to non-LCTCS employer;
 3. Self-employment or operation of business.
- C. Economic benefits include cash payments or such other non-cash economic benefit, e.g., share of profits, shares of stock, equity participation, etc. as the employee and outside employer may agree; provided that such non-cash economic benefit shall not have a present value significantly in excess of fair compensation for the services rendered. Compensation rates for outside employment need not be related to LCTCS salary rates but should be negotiated fairly based on normal private sector levels for similar services.
- D. Outside employment shall be performed only outside of assigned working hours or responsibilities or during a period of paid or unpaid leave. During paid sabbatical, special or educational leave, outside activities may be permitted only in exceptional circumstances.
- E. Outside employment shall not conflict, delay or in any manner interfere with instructional, scholarly and/or other services which the employee is obligated to render to the LCTCS and/or an LCTCS institution.

II. Outside Employment that will be considered for Approval

The following types of outside employment will be considered for approval.

- A. General consulting, other outside employment or business activities.
- B. Serving as an expert witness in an area based upon the employee's training and experience.
- C. Consulting by faculty and staff members of the LCTCS where the consulting services are related to the academic discipline or expertise of the faculty or staff member, as outlined in La. R.S. 42:1123 (9)(b). Generally, LCTCS faculty and staff members will not be approved for consulting agreements that require the faculty or staff member to participate directly in the supervision of activity where the outside employer currently does business with the LCTCS or an LCTCS institution; **however**, the proposed employment will be considered for approval where the activity is designed to increase the opportunity for the State's workforce to succeed through innovative skills training within that faculty or staff member's academic discipline, the activity will further the economic development of the State; and the activity can not be otherwise achieved through contract with the LCTCS under established policies and procedures.

III. Outside Employment that will Not be Approved

- A. An LCTCS employee may not receive compensation to assist in the passage or defeat of legislation during the fiscal year in which the legislation is pending in the legislature, except from the Louisiana Legislature or any department, institute or agency within the legislative branch.
- B. Blanket approvals for outside employment will not be granted.
- C. Employment or contractual relationships that are considered to be a violation of the Louisiana Code of Governmental Ethics will not be approved.

IV. Employee Responsibilities

Full-time employees contemplating outside employment or engaged in outside employment, on the effective date of this Policy, shall:

- A. Disclose outside employment in accordance with the policies and procedures established herein.
- B. Submit a list of all contracts or other agreements between the LCTCS and the outside employer in which the employee is involved on behalf of the LCTCS and/or an LCTCS institution. Such list is to include, to the extent the information is known to the employee, the owners,

directors, majority shareholders, or affiliates of the outside employer. Additional information about such contracts may be required by the LCTCS and/or the affected LCTCS institution.

- C. Provide notification to the outside employer that he/she accepts such employment as an individual and not, in any manner, as a representative of the LCTCS and/or an LCTCS institution. It is recommended that employees do this by including with any oral testimony or written reports a statement to the effect that the views expressed are those of the employee and do not necessarily reflect the views of the LCTCS and/or the LCTCS institution. In no case may the individual concerned use the name of the LCTCS and/or the affected LCTCS institution or his/her LCTCS affiliation, title or address officially or in any other way in support of any position he/she may take. Biographical data, including a statement of employment by the Board of Supervisors of LCTCS may be included as introductory material to written reports or orally in the case of expert witness statements, but may not be incorporated into the body of the written report.
- D. Comply with any other provisions of this Policy.

V. Approval Levels

Certain types of outside employment require approval of a chancellor and/or the President as follows:

- A. Approval by a Chancellor. Under the Louisiana Code of Governmental Ethics, certain outside employment requires review and approval by the Chancellor and may be approved only for academic, administrative and professional employees.
 - 1. Outside employment that requires approval by a Chancellor includes:
 - a. Outside employment with an individual or entity currently doing or actively seeking to do business with the employee's unit within the LCTCS or under circumstances in which the employee is collaborating with, or on special assignment to, a unit within the LCTCS with which the entity is doing or is actively seeking to do business.
 - b. Outside employment involving teaching that will result in LCTCS institution credit for the students, which will be conducted on LCTCS time or which will utilize LCTCS property or services.
 - c. Outside employment that ordinarily would be performed as part of the public service aspect of the LCTCS and/or an LCTCS

institution insofar as that employee's job duties and responsibilities are concerned.

- d. Outside employment yielding results that advance a theory of practice in the employee's field.
- e. Outside employment activity that could be accomplished more appropriately by a contract through the LCTCS and/or an LCTCS institution. This activity shall be the subject of a University contract unless it is not feasible or practical to do so.
- f. Outside employment activity for an individual or entity that has substantial economic interests which may be materially affected by the way in which the employee performs his or her duties and responsibilities as an LCTCS employee.

2. If such proposed outside employment is with a third party that is contracting with or is seeking to contract with the LCTCS and/or an affected LCTCS institution, the faculty or staff member shall remove himself or herself from any relationship in which he or she would:

- a. Approve payments by the LCTCS and/or an LCTCS institution to the third party pursuant to any contract between the LCTCS and/or the LCTCS institution and the third party.
- b. Evaluate any work performed by the LCTCS and the LCTCS institution pursuant to a contract between the LCTCS and/or an LCTCS institution and the third party.
- c. Negotiate and/or approve any subsequent contracts between the LCTCS and/or the LCTCS institution.
- d. Approve the purchase of LCTCS equipment pursuant to the contract with the third party in an amount in excess of \$2,000.00.

The above actions must be carried out by the faculty or staff member's immediate supervisor and that approving supervisor's next immediate supervisor.

3. Outside employment requiring the approval of a Chancellor also requires a written agreement between the employee and the outside entity that shall contain the following explicit information:

- a. General technical or specialized area of endeavor.
- b. Specific employment or consulting activities.
- c. Duration of employment agreement.
- d. Estimated time in hours per week or days per month required for the employment.
- e. Employee's compensation rate and method of payment.

- f. Statement that agreement is between employee and outside entity, that employee is not acting as an agent of the LCTCS and/or an LCTCS institution and that the LCTCS and the affected institution bears no liability in the relationship.
- g. Statement that the use of the LCTCS and/or the LCTCS institution's name in connection with the employment activities shall be only upon written authorization of the LCTCS and/or the LCTCS institution.
 - 4. The outside entity and the employee shall negotiate and draft an agreement meeting all of the requirements herein. If the contract involves trade secrets and commercial or financial information obtained from the outside employer such information may be removed from the agreement before its submission for administrative review.
 - 5. For such agreements, a Chancellor must certify to the following prior to the execution of any contract approved pursuant to this policy:
 - a. The outside employment activities are not within the employee's duties and responsibilities to the LCTCS and/or the affected LCTCS institution for which the employee is being compensated by the LCTCS and/or the affected LCTCS institution.
 - b. The outside employment activities do not conflict, delay or in any manner interfere with instructional, scholarly and/or other services that the employee is obligated to perform for the LCTCS and/or the affected LCTCS institution.
 - c. The consulting activities to be performed are within the academic or professional discipline of the employee or are related to the area of expertise in which the employee is employed by the LCTCS and/or the affected LCTCS institution.
 - 6. Following approval and execution, the appropriate Chancellor shall receive a copy of the executed agreement. Copies of approval forms, certifications and the executed agreement shall be kept in a permanent file by the Chancellor or his designee until at least three years beyond the expiration of the agreement.
- B. Approval by the President. The following types of outside employment require review and approval by the President in addition to campus approval:
 - 1. Outside employment involving public policy.
 - 2. Outside employment of a Chancellor.
 - 3. Outside employment or contracts by employees for professional, personal, consulting and social services with a department, commission, council, board, office, bureau, committee, institution,

agency, government, corporation, or any other establishment of the Executive Branch of the State of Louisiana.

- C. Approval by Chancellor or Designated Administrative Officer. All other outside employment may be approved through normal administrative channels by the Chancellor or by a campus administrative officer designated by the Chancellor.
- D. Joint Appointments. If the outside employment involves employees from more than one department or campus, or if it involves an employee holding joint appointments, action by the appropriate administrative officers of the affected campuses is required.

VI. Use of LCTCS Equipment, Materials and Services

The appropriate campus administrators, including chairs, directors, deans and vice chancellors, are responsible for determining the circumstances under which LCTCS and/or LCTCS institutions personnel, laboratories, services and equipment may be used in connection with outside employment of LCTCS employees. When LCTCS owned facilities, equipment or other resources are needed or required for any reason, a contract between the LCTCS and/or the affected LCTCS institution and the private third party may be executed separately. Compensation to the LCTCS and/or the affected LCTCS institution must be paid at the fair market rate or, if different, at the same rate that such services, facilities, equipment or technology would be available to any qualified non LCTCS user.

VII. Procedures

The attached written procedures and approval forms, necessary to provide for compliance with this policy, shall be completed by the requesting faculty or staff members and submitted such to the Chancellor or President for review and approval.

VIII. Reporting Requirements

Annually, the Chancellor shall prepare an information report listing all outside employment approved by the Chancellor and currently in force under this policy and any other details which may be requested. Copies of this report shall be sent to the President of the System and to the Board of Supervisors.

IX. Code of Ethics Requirement

Compliance with the provisions of this policy is required by the Louisiana Code of Governmental Ethics. Violation of this policy may result in a violation of the Ethics Code and penalties applicable thereto and/or appropriate sanctions by the LCTCS. All employees, both full-time and part-time, are reminded that they are subject to the Ethics Code.

BPCC Addendum

In accordance to the LCTCS Outside Employment Policy, section V.c., the Chancellor designates the Director of Human Resources as the designated

administrative officer to approve all other outside employment not covered in sections V.a., V.b., and V.d.

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM

Policy # II.3.008

Title: CONSENSUAL RELATIONSHIPS

Authority: Board Action

Original Adoption: 12/13/00

Effective Date: 12/13/00

Last Revision: Initial

The definition of “consensual relationship” (exclusive of marriage) includes a mutually agreed upon romantic relationship and/or a relationship involving physical intimacy.

The LCTCS acknowledges its responsibility to provide clear direction to its college campuses about the professional risks associated with consensual relationships in which a supervisor/subordinate and/or instructor/student authority chain exists. Such situations jeopardize the efficiency of any organizations as well as the integrity of academic or employment decisions.

Due to this responsibility, it is declared by the Board of Supervisors of the Louisiana Community and Technical College System (LCTCS) that consensual intimate personal relationships, inclusive of dating, between administrative and/or supervisory employees of the various institutions of higher education under its management and control, and employees or student with whom these individuals enjoy a direct reporting relationship is contrary to the best interests of the LCTCS and the State of Louisiana. Specifically, such personal relationships may foster a lack of objectivity regarding the subordinate or student’s performance and can result in poor morale in the work place or classroom. Moreover, conflict arising out of such relationships may subject the LCTCS and the State to inordinate litigation expense in defense of sexual harassment claims. The maintenance of such intimate personal relationships must be resolved by terminating the direct supervisor or instructional relationship. Either reassignment of the subordinate or the supervisor without any loss of salary or benefits can do this to either party. Any personnel action taken will be in accordance with applicable LCTCS policies and procedures.

Appropriate staff shall review Faculty/student relationships that mirror supervisor/subordinate relationships and arrangements made to avoid any impropriety in the teaching learning environment.

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM

Policy No. – II 2.024

Title: Recoupment of Overpayments

Authority: LCTCS Board Action

Original Adoption: May 11, 2005

Effective Date: May 11, 2005

Last Revision: Initial

Definitions

Active Employee – employee currently employed by the agency that overpaid the employee.

Agency – any one of the 20 major departments of state government or any subdivision thereof and any other entity paid through one of the 20 major departments of state government. This includes those agencies using ISIS HR for payroll and those agencies not using ISIS HR for payroll.

Deduction – any voluntary/involuntary reduction in net pay (e.g., health insurance, united way, taxes)

Direct Deposit Reversal – a formal request to the financial institution to return funds deposited into an account.

Division of Administration (DOA) – the Louisiana state agency under the Executive Department which provides centralized administrative and support services to state agencies as a whole by developing, promoting and implementing executive policies and legislative mandates.

Gaining Agency – the agency to which the overpaid employee is transferring.

ISIS Human Resource System (ISIS HR) – the integrated statewide information system administered by the Division of Administration, Office of State Uniform payroll to provide uniform payroll services to state agencies.

ISIS HR paid Agency – a state agency that processes payroll through the ISIS HR system.

ISIS HR Non-Paid Agency – a state agency that uses a system other than the ISIS HR system to process payroll.

Losing Agency – the agency from which the overpaid employee is terminating/separating.

Net Pay – the amount of compensation due to the employee after withholding all voluntary and involuntary deductions from his wages and compensation earned.

Office of State Uniform Payroll (OSUP) – the section within the Division of Administration primarily responsible for the DOA statewide payroll system and administration of rules governing state employee payroll deductions.

Overpayment – unearned compensation of state funds to employees.

Recoupment – reimbursement to the agency of overpayment that was not due an employee.

Separated Employee – employee no longer working for the agency that overpaid the employee.

Wage – payment for services to an employee.

I. Introduction

1. Overpayments occur when compensation that is not owed to the employee is paid in error. This includes but is not limited to overpayment of wages, leave paid in error, as well as, erroneous refunds of deductions. Unearned payments to employees are prohibited by Article 7, Section 14 of the Louisiana State Constitution which prohibits the donation of public funds. As a result, state agencies are required to make a reasonable effort to recoup overpayments to both active and separated employees. Agencies must also establish internal controls to prevent overpayments. This policy applies to the entire LCTCS and all payroll systems through which employees of the LCTCS are paid. It thereby incorporates the procedures of the Recoupment of Overpayments rule (LAC 4:III.Chapter 7) established by the Office of the Governor, Division of Administration, Office of State Uniform Payroll.

II. Notification to Employee of Overpayment

2. Employees must be notified immediately once an agency determines that an overpayment has been made. Written notification must be provided prior to withholding the recoupment from a future payment(s). The notification to the employee must include the following:
 4. pay date(s) the overpayment occurred;
 5. amount of the overpayment;
 6. agency plan of action for recoupment;
 7. employee options for reimbursement of overpayment, as appropriate,
 8. reason for overpayment; and
 9. agency procedure by which the proposed recoupment can be disputed.

III. Recoupment from Active Employees

- A. The following repayment options should be made available, as applicable:
1. direct deposit reversal;
 2. one-time deduction from a subsequent paycheck;
 3. payment plan; or
 - a. recurring deductions can be established according to the procedures established by the payroll system through which the employee is paid, and in any case, shall not exceed 12 months.
 - b. each payroll system of the LCTCS must establish a designated approver for any recoupment payment plan crossing a calendar year and/or fiscal year.
 4. personal payment from employee (i.e., check, money order);
 - a. agencies paid through LCTCS centralized payroll must establish a designated approver from whom approval must be obtained prior to accepting a check from an active employee.
- B. If an employee who has been overpaid is separating from the agency, the amount of the overpayment must be withheld from the employee's final paycheck. If the full amount is not recovered, refer to the agency guidelines outlined in the section of this policy entitled Recoupment from Separated Employees.
- C. The amount to be recouped in a one-time payment or in recurring payments cannot bring the employee's bi-weekly gross hourly wage amount below the federal minimum wage.

IV. Recoupment from Employees Transferring to Another State Agency

- A. If an overpaid employee is transferring to another state agency, and the losing agency has not completed the recoupment process, the losing agency must notify the gaining agency that the employee has an outstanding balance due the losing agency. The losing

agency must provide pertinent documentation regarding the details of the overpayment and the recoupment plan established:

1. employee transferring from an ISIS HR paid agency to an ISIS HR non-paid agency, employee transferring from an ISIS HR non-paid agency to an ISIS HR paid agency, or employee transferring between two ISIS HR non-paid agencies:
 - a. the losing and the gaining agencies must work together to determine a reasonable solution for recouping the overpayment from the employee and for transferring funds received at the gaining agency back to the losing agency.
- B. If a payment plan is established in the payroll system of the gaining agency, the amount to be recouped in a one-time payment or in recurring payments cannot bring the employee's biweekly gross hourly wage amount below the federal minimum wage.

V. Recoupment from Separated Employees

- A. Agencies must notify employee of overpayment according to guidelines in the section of this policy titled Notification to Employee of Overpayment. The written notice to the employee must include a demand for repayment.
- B. The following repayment options are available, as appropriate:
 1. one-time personal payment from employee (i.e. check, money order); or
 2. payment plan:
 - a. employee may submit multiple payments as agreed upon with the agency
 - b. the period of recoupment shall not exceed 12 months.
- C. If an agency is unable to recover overpayments from a separated employee, the agency must follow agency policies regarding consulting the legal department of the specific overpaying agency to determine if legal recourse is warranted. Items to consider are:
 1. total dollar value of the overpayment;
 2. period of time for which the overpayment has occurred;

3. period of time that has elapsed since the overpayment;
4. cost of recoupment efforts; and
5. likelihood of success of continued recoupment efforts.

VI. Condition of Employment

- A. Prior to submitting job offers to prospective employees, a signed statement must be obtained from the prospective employee acknowledging his/her understanding of the agency recoupment policy and that, if overpaid, the overpayment may be recouped in a future pay period after notification from the agency, in accordance with the agency policy. Prospective employees include new hires and employees who have transferred from one agency to another agency.
- B. Agencies are responsible for incorporating this condition of employment within the hiring process and withholding job offers to prospective employees failing to comply with the Recoupment of Overpayment rule.

VII. Agency Policies and Procedures

- A. Agencies must develop specific procedures to follow when an employee has been overpaid.
 1. Agencies must incorporate into their recoupment policy the policies and procedures for the collection and reporting of accounts receivable which are published in the November 20, 2002 edition of the *Louisiana Register*.
 2. Agencies must incorporate into their recoupment policy a dispute procedure for an employee to follow if the employee does not agree with the agency claim of overpayment.
 3. All employees and agency staff who affect the pay process in an agency including timekeepers, employee administration, payroll and human resources, are responsible to assist in achieving an overall effective system of control to produce accurate payments. Thus, agencies are to prepare internal control policies and maintain an effective system of internal controls to prevent overpayments.

Computer Services Technology Policy

With the rapid expansion of technology in the 21st century, new concerns emerge. Because e-mail is the fastest way to communicate, problems arise regarding the receiving and sending of unsolicited and unwanted material. Receiving and opening e-mail from an unknown source can possibly shut down our systems. Distributing and receiving chain letters and jokes within our system can waste valuable time and resources; therefore, I would like to review our e-mail and technology policy with you.

To make sure that every BPCC employee is familiar with the technology policy, we ask each employee to read the policy, sign the attached form, and return you signed form to Human Resources.

***NOTE: The last page of this policy must be signed, dated, and returned to Human Resources Department.**

As employees of Bossier Parish Community College, we take pride in our work and in our school. Each time you click the send button, a representation of your and our school has been created. Please understand that once you send an e-mail it not only has the capability of being seen by the person you are sending it to, but also has the possibility of being seen by millions of people and virtually never going away.

The following are some important rules to remember:

- a) Sending harassing or discriminatory e-mail is strictly prohibited. Familiarize yourself with the school's harassment and disciplinary policies as they also apply to e-mail and the internet.
- b) E-mail and internet use should be limited to school-related functions. You are subject to disciplinary action for sending or accessing questionable material and wasting time.
- c) Humor is subjective. What's funny to you may be insulting and offensive to others. Once a risqué' joke is sent, there's no getting it back. When telling a joke face-to-face, at least you can monitor reactions and stop yourself if necessary.
- d) The computers and printers we use to perform our job duties are the property of BPCC. Therefore, you should have no expectations of privacy regarding the e-mails you send or receive.
- e) E-mail can be a wellspring of evidence. Even deleted messages can be retrieved. And you don't know to whom your messages will ultimately be forwarded, where your messages will be saved, or who will make hard copies, all with your name and the name of the school attached.
- f) *Don't open any attachments sent to you via e-mail from an unknown source. Immediately send it to your recycle bin and then empty your recycle bin.*
- g) Report any instances of electronic harassment/discrimination to your supervisor, operations manager, or Human Resources Manager. Complaints will be investigated immediately.
- h) Never install software sent to you via the e-mail system or the Internet unless approved by our Systems Manager.
- i) Should approved software need maintenance or repairs, it will be relayed to you by our Systems Manager. Never install repair software sent to you from an unknown source. If you receive any, contact our Systems Manager before opening any attachments.

- j) Today's viruses are becoming more and more complex, using an e-mail address book to propagate itself throughout the system. Use your better judgment. If the message is not work-related or does not have anything to do with your job function, then remove the message without opening the attachment.

No software should be added to your school computer unless installed by our Computer Service Department. Most, if not all, software suppliers require license agreements. With a network as large as ours, if and computers have unlicensed software, it could cause us legal problems or fines.

Network Capacity and Policy Issues Arising From the Use of Peer-To-Peer File Sharing Programs and Services.

Introduction

Recently, there has been significant media coverage and controversy surrounding the use of Napster, KaZaA, and other peer-to-peer file sharing programs and services available on the Internet. These programs are designed to let people easily exchange music, movies, videos, and other files over the Internet. In the final analysis, programs and services like KaZaA, Napster, Gnutella, iMesh, CuteMX, Scour Exchange, and FreeNetfile are not as harmless as they might seem. This advisory points out the serious legal implications of violating copyright laws by sharing certain materials via these programs, and also focuses on the negative impact that these file sharing programs can have on network capacity. Additional security risks are also described.

It is tempting to conclude that the issues raised primarily involve our students. However, a number of our staff and faculty may be using the new file sharing technologies to explore what is available on the constantly developing Internet. So all members within the College community need to be aware of these issues.

Here's what we know about these programs:

Negative Effects on Network Performance

Peer-to-peer file sharing applications and services such as KaZaA, Napster, Gnutella, iMesh, CuteMX, Scour Exchange, and FreeNet can generate so much network traffic that the adversely affect network performance for users who share the same local network. Use of these applications is perceived as being most widespread among students, but many members of the College community who use the BPCC network to get to the Internet also download these programs. And some are using their desktop computers in the computing centers, labs, and offices to download such programs.

All persons who are authorized to access and use College computing, networking, telephony, and information resources are required to use these resources in a manner that advance the education and public service missions of the College. Any access and use of these resources and services that interfere with these goals are not permitted.

Computer Services is continuously monitoring the network traffic situation as it relates to the use of these file-sharing applications. Users on the College network whose usage hinders network performance and interferes with others trying to use the network for College work will be contacted. Action to maintain network integrity and performance will be taken when necessary.

This is not only a matter of network etiquette, interfering with the ability of others to use network services violates BPCC policy and may be grounds for suspension of access to College computing and networking resources and can result in other appropriate sanctions.

File Sharing Applications and Copyright Issues

Providing or obtaining copyrighted material, e.g., music, movies, videos, text, and etc., without permission from the rightful owner violates the United States Copyright Act and several College policies. While it is true that a number of artists have allowed their creative works to be freely copied, those artists remain very much the exception. It is best for you to assume that all works are copyrighted-protected except those that explicitly state otherwise. As an individual, you should also be aware that you face liability for damages of up to \$30,000 per infringement under the U.S. Copyright Act.

Additionally, students, faculty, and staff who may be in violation of copyright law place not only themselves at risk; they may be incurring liability for BPCC as an institution, e.g., using the College network resources to obtain the material and/or to store the material on College servers.

If an artist, author, publisher, or law enforcement agency notifies the College that you are violating copyright laws, then the relevant offices within the College will investigate the complaint. If appropriate, action will be taken against you in accordance with College policy. In some cases, violations of College policy could result in suspending your network access privileges and/or criminal prosecution under state and federal statutes.

Computers Acting as Servers

Peer-to-peer file sharing applications typically allow you to set up your computer so that other people can access files you choose to make available to them. While this might seem like a nice service to offer, there are some serious drawbacks.

Having your computer act as a server can burden the College networks if your server is popular and does excessive, high-volume transfers of files. For example, MP3 files are usually very large files, between 2 and 10 MB in size. Some applications let you choose NOT to be a server, but others, such as Gnutella, don't. If you simply install the software and don't take the time to read any documentation, you may not even realize your computer is a server. Make sure you understand what the software does.

Note: machines acting as servers for materials which infringe copyright can and will have their network connections turned off in response to complaints.

Another serious problem with setting up your computer as a server is that you could be opening a **security hole for hackers**, allowing them access to your entire computer.

Peer-to-peer file sharing applications differ in how much security they provide. Be cautious.

If you have installed peer-to-peer file sharing application on your computer that connects to the College network and you have considered the issues presented in this advisory and now would like to remove the application, you can usually achieve this in a Microsoft Windows environment by clicking on START, SETTINGS< CONTROL PANEL, and then select ADD/REMOVE PROGRAMS.

If you still need assistance to remove the application, you can contact Computer Services.

Finally, we all like to personalize our computers by installing screen savers. Screen savers are considered software items and should not be added to your computer. Screen savers can also slow our systems down or cause damage. Only approved screensavers, which are the one's pre-installed by windows on your computer are allowed, and should not be customized to show unprofessional material. All others screensavers are in violation of school policy and should be immediately removed from your computer. Any unapproved screen savers will be removed by our systems manager or upper level management when found.

The Bossier Parish Community College computer system and its network are a big investment for our school, as it is for other schools with which we communicate. We rely on our system to do the basic functions we previously performed manually. **Our Technology Policy is in place to prevent downtime, increase system response time, and comply with software manufacturer's agreements. Your full cooperation is expected.**

Bill Martin
Chief Information Officer

**BOSSIER PARISH COMMUNITY COLLEGE
COMPUTER SERVICES TECHNOLOGY POLICY**

By signing this explanation of Bossier Parish Community College's Technology Policy,
I am acknowledging that I understand its content and agree to abide by the policy.

NAME (please print): _____

Signed: _____

Date: _____

LOUISIANA COMMUNITY & TECHNICAL COLLEGE
SYSTEM Policy # 7.005
Title: EMAIL USAGE POLICY

Authority: Board Action

Original Adoption: 12/13/2006

Effective Date: 12/13/2006

Last Revision: N/A

1.0 Purpose

The Louisiana Community and Technical College System, and its educational institutions, hereafter known as (LCTCS), provides employees with electronic communications tools, including an Email System. This policy governs employees' use of LCTCS email systems.

2.0 Scope

This policy applies to full-time employees, part-time employees, independent contractors, interns, consultants, suppliers, clients, and other third parties. The policy covers the use of the email system at the LCTCS headquarters, colleges, administrative locations, campuses as well as at remote locations, including but not limited to employees' homes, airports, hotels, client and supplier offices. Colleges and Technical Education Centers and other entities under the direction of the LCTCS are responsible for compliance at their respective institutions.

3.0 Policy

3.1 Email Exists for Business Purposes

The LCTCS allows email access primarily for business purposes.

3.2 Employees Have No Reasonable Expectation of Privacy

E-mail messages created and transmitted on LCTCS computers are the property of the LCTCS. The LCTCS reserves the right to monitor all email transmitted via the LCTCS computer systems. Employees have no reasonable expectation of privacy when it comes to business and personal use of the LCTCS email systems.

3.3 Right to Monitor, Inspect, Copy, Review, and Store

The LCTCS may at any time and without notice monitor, inspect, copy, review, and store any email, and any and all files, information, software, and other content created, sent, received, downloaded, uploaded, accessed, or stored in connection with employee usage. The LCTCS reserves the right to disclose email text and images to regulators, the courts, law enforcement, and other third parties without the employee's consent.

3.4 Offensive Content and Harassing or Discriminatory Activities

Employees are prohibited from using email to engage in activities or transmit content that is harassing, discriminatory, menacing, threatening, obscene, defamatory, or in any way objectionable or offensive.

3.5 Employees are prohibited from using email to:

Send, receive, solicit, print, copy, or reply to text or images that disparage others based on their race, religion, color, sex, sexual orientation, national origin, disability, ancestry, or age. Send, receive, solicit, print, copy, or reply to jokes (text or images) based on sex, sexual orientation, race, age, religion, national origin, ancestry, or disability. Send, receive, solicit, print, copy, or reply to messages that are disparaging or defamatory. Spread gossip, rumors, and innuendos about employees. Send, receive, solicit, print, copy, or reply to sexually oriented messages or images. Send, receive, solicit, print, copy, or reply to messages or images that contain foul, obscene, off-color, or adult-oriented language. Send, receive, solicit, print, copy, or reply to messages or images that are intended to alarm others, embarrass LCTCS, negatively impact employee productivity, or harm employee morale.

Send electronic messages under another employee's names without authorization. Send, reply, or forward electronic chain-email messages.

3.6 Business Record Retention

Electronic Mail (E-mail) is not a record series for retention scheduling purposes. Rather, the retention of E-mail must be based on content, not on media type, artificial duration (i.e. 90 days) or on storage limitations. E-mail should be retained for the same duration as other records of similar content included in a given record series on an approved retention schedule. If a record series cannot be identified under which to store an email

communication, a record series should be developed and included on the institution's approved retention schedule. Until the series is scheduled the Email should be maintained for at least three years.

There are two broad categories of E-mail: record and non-record, based on their administrative and retention requirements.

3.6.1 Types and Treatment of Electronic Email Records

Non-Record (Transitory):

Transitory electronic mail records are records that have limited or no administrative value to the agency and are not essential to the fulfillment of statutory obligations or to the documentation of agency functions. Examples: Unsolicited and junk e-mails not related to a college's work, Listserv and other e-mail broadcast lists that require subscription (including newspapers), Reminders for meetings and events (i.e. cake in the conference room, staff meeting moved from 2 p.m. to 3 p.m.), Personal non-work related e-mails received by employees. Non-Record Email Retention Requirements: There is no retention requirement for transitory messages. Employees receiving such communications may delete them immediately without obtaining approval.

¹ Extracted from the Louisiana Department of State, Division of Archives, Title 4, Administration, Part XVII. Records Management Policies and Practices, and the Louisiana State Archives

Record: Electronic mail records are records that have administrative value to the agency or are required to be maintained under state or federal law for a specified amount of time. Email Record Retention Requirement: The retention requirement for e-mail records must follow suit with records of similar content. In the event that the content of the message does not fit into an existing record series on an approved retention schedule, the e-mail content should be maintained as described in sections 3.7 and should be added to the agency's approved retention schedule if the series is expected to remain active.

3.6.2 User Responsibilities

The user of the e-mail system has the responsibility to manage email messages according to their institution's retention schedule. Sender of e-mail messages within the institution's e-mail system and recipients of messages from outside the institution have the responsibility to retain the messages for the approved retention period. Names of sender, recipient, date/time of the message, as well as any attachments must be retained with the message. Except for listserv mailing services, distribution lists must be able to identify the sender and recipient of the message.

3.6.3 Maintenance of Electronic Mail

Records created using an e-mail system may be saved for their approved retention period by one of the following. – Print message and file in appropriate hard copy file. – Place in folders and save on personal network drive or C: drive. – Save to removable disk (including CD-ROM). 3.5" disks are not recommended for retention periods of more than one year due to the instability of this medium. – Transfer to an automated records management software application. – Managed at the server by an automated classification system.

3.7 Related LCTC Policies

See HR6.025 and HR6.027

3.8 Violations

A violation of this policy may result in disciplinary action up to and including termination.

**BOSSIER PARISH COMMUNITY COLLEGE
FERPA REGULATIONS NOTICE**

The Family Rights and Privacy Act (FERPA) is a federal law that protects the rights of our students. Each year, the College is required by law to disclose to students that the College is in compliance with FERPA. This law is directly tied to Title IV Funding, which is financial aid. **If a college violates a student's FERPA rights, the college is in jeopardy of losing its Title IV funding.**

At Bossier Parish Community College a large percentage of our students receive some type of financial aid. If we violate even one student's FERPA rights and that student files a complaint to the Family Compliance Office, an investigation will occur. If the Family Compliance Office finds that we are, in fact, in violation, the federal government has the authority to deny Title IV funds to our college.

If this would occur, our college would be in jeopardy of closing because of the vast number of students receiving financial aid. Therefore, **it is imperative that we as faculty and staff do everything possible to ensure our students' FERPA rights.** Under no circumstances are we to give out information concerning students to anyone unless we have proper documentation from the student, or we are allowed to give such information as outlined in the FERPA guidelines.

The FERPA guidelines are located at www.bpcc.edu under "General Policies and Procedures." It is the responsibility of every faculty and staff member to access this website and read and understand the guidelines. **This is federal law.**

**BOSSIER PARISH COMMUNITY COLLEGE
FERPA REGULATIONS
ACKNOWLEDGEMENT OF RECEIPT**

I have received my copy of the Family Educational Rights and Privacy Act (FERPA) Regulations Notice. It is my responsibility to read and understand the privacy guidelines as outlined by this federal law.

I agree to access the Bossier Parish Community College website and review the FERPA guidelines in their entirety. In addition, my signature below is my acknowledgement that I understand the FERPA guidelines and agree to abide by the guidelines to the fullest extent.

Name: (Please Print) _____

Signature: _____

Date: _____

Employee Work Related Injuries/Accidents:

1. Employee should immediately report all work related injuries to their supervisor no matter the severity.
2. The supervisor should immediately have the employee report to the Security Department to complete an injury report (DA2000).
3. If employee is requesting medical treatment, then Security will provide them with an Authorization letter for treatment.
4. Security will attached a copy of the Authorization letter to the DA2000 form.
5. In all cases, Security will immediately contact Director of Human Resources or Benefits Manager that the employee requested medical treatment.
6. Security will send the DA2000 form and a copy of the Authorization letter to the Human Resources department in a timely manner.

If the employee is in need of emergency (life or limb threatening) medical treatment and it is impractical or medically impossible to complete the injury report or obtain an Authorization letter and the employee chooses to receive medical treatment then the employee should inform the treating facility/physician that they are an employee of Bossier Parish Community College and their injury is due to “work related” activity. The employee or their supervisor should immediately contact the HR department that the above listed protocol was not followed.

Workers’ Compensation Policy:

Bossier Parish Community College provides workers’ compensation benefits to its faculty and staff in accordance with state law. This coverage includes the College’s modified duty program (Return to Work) to encourage employees, who have been released to perform work with limitations to return to work.

To return an employee to the workplace, BPCC will make reasonable efforts to place the returning employee into a meaningful assignment, which he/she can perform while on modified duty on a temporary basis. BPCC cannot guarantee placement and is under no obligation to offer, create, or encumber any specific position for purpose of offering placement. All final decisions regarding placement shall be made by the Human Resources Office.

This policy is not intended to instruct the procedure applicable to employees who are eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about eligibility under the ADA or FMLA should be directed to the Human Resources Office.

This policy only applies to permanent employees of BPCC who are on leave as a result of work related injuries or illnesses and who are receiving workers’ compensation benefits.

In the event an employee refuses an accommodation or reassignment of duties (outside the employee’s FMLA benefit eligibility period) which are with the employee’s

restrictions and ability to perform, BPCC is not obligated to provide alternative. In such a case, BPCC will notify the State Office of Risk Management which may result in termination of the employee's workers' compensation benefits.

For work to be considered suitable modified employment, the following conditions must be met:

- The employee must meet the required qualifications for the modified job assignment which the employee will be required to perform,
- The work must be a meaningful and productive part of the department's operations,
- The work must conform to the medical restrictions set by the medical care provider, and
- The modified job assignment and/or modified work schedule cannot exceed six month.

When determining if proposed modified work is suitable, the Human Resources Office will consult with the injured employee, the departmental administrator, the EHS office and the medical health care provider. Other individuals may participate on the team as deemed necessary.

The evaluation will be based on, but not limited to, a list of essential duties (based on the job description for which the employee was hired) along with the completed job analysis form for completion by the employee's physician.

The return-to-work team shall identify job functions and physical requirements that can be considered "transitional" duties in this work environment. Every effort will be made to place the employee in his/her original work unit, however, if this is not possible, the team may recommend an alternative work assignment as long as the conditions for return to work outlined above are met. The appropriate administrator of the work unit in which the "transitional" duty assignment is identified must approve the proposed placement prior to further action being taken.

Upon return to work, the return-to-work team will review the "transitional" assignment every 30 days to determine if the employee is still in transition based on the physician's recommendation. An employee who refuses to return to "transitional" duty for which he or she was medically cleared will be reported to the Office of Risk Management for appropriate action.

Civil Service rules, as outlined below, shall govern personnel actions for classified employees accepting "transitional" duty assignments:

Employees may be detailed to special duty, with Civil Service approval, for a period not to exceed six months (usual time required for an employee to remain on Workers' Compensation). No extension of this type of detail shall be authorized.

The detail to special duty may be lateral or downward. Details to a higher position may also be approved on a case-by-case basis, when justified.

A position may be double encumbered, if necessary.

The employee's base pay cannot be reduced during the detail to special duty.