



TO: Members, Calcasieu Parish School Board

FROM: Robert Barrentine, Chief Operations Officer

DATE: April 26, 2022

SUBJECT: Administrative and Personnel Committee Meeting
5:00 p.m.
3310 Broad Street, Lake Charles, LA 70615

AGENDA

A & P Committee Meeting Items

- School Board Ethics – BH
- Curriculum – ID
- Kindergarten, Compulsory School Attendance Ages – IDCC, JBA
- Cameras in Special Education Classrooms - IDDFC
- School Admission - JBC
- Public School Choice – JBCE
- Student Records – JR
- Sabbatical Leave, Sick Leave, Parent Conference, and Student Welfare – GBRHA, GBRIB, IHAD, JG
- Purchasing Policy, Bid and Quotations – DJE, DJED

A & P Committee Members:

Bliss Bujard
Russell Castille
Mack Dellafosse
John Duhon, Chair
Glenda Gay
Damon Hardesty

Fred Hardy
Aaron Natali
Dean Roberts
Alvin Smith
Desmond Wallace, Vice Chair

Building Foundations for the Future

Board Members:

Annette Ballard
Billy Breaux
Eric Tarver
Mark Young

Item 1

School Board Ethics

Act 199 revised, adding an exception to the prohibition on employing family members of Board members or the Superintendent. School Boards can now employ family members that are certified as school bus operators. Any member of the School Board or Superintendent whose family member is employed must recuse himself/herself from any decision involving the assignment or promotion of the employee. This new exception has been added to the policy School Board Ethics.

OLD

SCHOOL BOARD ETHICS

Recognizing that as a member of a public School Board and that each Calcasieu Parish School Board member is filling a position of public trust, responsibility, and authority endowed by the State of Louisiana, the Calcasieu Parish School Board, individually and collectively, shall subscribe to the principles of the Louisiana School Boards Association, by which a School Board member should be guided.

In addition, certain actions of elected officials may be considered improper, and in some circumstances, illegal. Actions which may present a conflict of interest, acceptance of gifts, or solicitations, or gratuities, abuse of authority of office or position, and decisions regarding the employment of a family member of an official are all subject to statutory restrictions. The ethical conduct of School Board members, as well as other designated officials, shall be in accordance with state law.

ETHICS EDUCATION AND TRAINING

All School Board members and employees shall be required to receive a minimum of one (1) hour of education and training on the Louisiana Code of Governmental Ethics annually. Education and training shall be provided by employees of the Louisiana Board of Ethics or others authorized to provide such training by the Louisiana Board of Ethics, and shall be administered through seminars or via the Internet.

GIFTS

Acceptance of personal gifts by any School Board member or employee of the Calcasieu Parish School Board from persons or firms doing business with the School Board, or any department or school thereof, is prohibited. Reduced cost and/or free travel expenses are also defined as gifts with regard to this policy provision. This policy provision does not preclude acceptance of food, drinks, or refreshment of a social nature or participation in a social event, provided the value of the food, drink, or refreshment does not exceed that amount permitted under state law. It also shall not preclude the acceptance of campaign contributions for use in meeting campaign expenses by any employee or School Board member who is or becomes a candidate for election to any public office.

NEPOTISM

No member of the immediate family of an agency head shall be employed in his/her agency. No member of the immediate family of a member of a governing authority or the chief executive of a governmental entity shall be employed by the governmental entity, with limited exception as outlined below.

Subject to other limitations contained in School Board policy, the provisions above shall not prohibit the continued employment of any public employee nor shall it be construed

to hinder, alter, or in any way affect normal promotional advancements for such public employee where a member of a public employee's immediate family becomes the agency head of such public employee's agency, provided that such public employee has been employed in the agency for a period of at least one year prior to the member of the public employee's immediate family becoming the agency head. Notwithstanding the foregoing, after the end of the 2016-2017 school year, no member of the immediate family of a school principal may be assigned to the school at which the principal is assigned, unless such immediate family member was first assigned to the school prior to the end of the 2016-2017 school year, and such assignment complies with the *Louisiana Code of Governmental Ethics*.

No public servant and no elected official, except as provided in La. Rev. Stat. Ann. §42:1120, shall participate in a transaction involving the School Board in which, to his/her actual knowledge, any of the following persons has a substantial economic interest:

1. Any member of his/her immediate family.
2. Any person in which he/she has a substantial economic interest of which he/she may reasonably be expected to know.
3. Any person of which he/she is an officer, director, trustee, partner, or employee.
4. Any person with whom he/she is negotiating or has an arrangement concerning prospective employment.
5. Any person who is a party to an existing contract with such public servant, or with any legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent (25%), or who owes any thing of economic value to such public servant, or to any legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent (25%), and who by reason thereof is in a position to affect directly the economic interests of such public servant.

Every School Board employee shall disqualify himself/herself from participating in a transaction involving the School Board when a violation of this prohibition against participation would result, and a disqualification plan shall be submitted to the Louisiana Board of Ethics.

Exceptions

Any School Board member or Superintendent whose immediate family member is employed or who may be employed, as excepted below, shall recuse himself/herself from any decision involving the promotion or assignment of teaching or service location of such employee.

1. Any member of the immediate family of any School Board member or the Superintendent may be employed as a classroom teacher provided that such family member is *certified to teach* or is *temporarily authorized to teach while pursuing certification*.
2. Any immediate family member of a member of the School Board or the Superintendent who is employed pursuant to paragraph 1 above may be promoted to an administrative position, provided that such family member has the appropriate qualifications and certifications for the promotional position. For the purposes of such promotions, the term *certifications* shall not include any temporary or provisional certification or certifications.
3. An immediate family member of an athletic director of a school may be employed as a coach at such school.
4. Any member of the immediate family of any School Board member or of the Superintendent may be employed as a school bus operator provided that such family member is certified as a school bus operator.

ABUSE OF OFFICE

No School Board member, Superintendent, or employee shall use the authority of his/her office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to provide himself/herself, any other public servant, or other person with any thing of economic value.

No School Board member, Superintendent, or employee shall use the authority of his/her office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to engage in political activity.

No School Board member shall act in an individual capacity to use the authority of his/her office or position as a member of the School Board in a manner intended to interfere with, compel or coerce any personnel decision, including the hiring, promotion, discipline, demotion, transfer, discharge, or assignment of work to any school employee.

No School Board member shall use the authority of his/her office or position as a member of the School Board in a manner intended to interfere with, compel, or coerce any school employee to make any decision concerning benefits, work assignment, or membership in any organization.

TRANSACTIONS AFTER TERMINATION OF PUBLIC SERVICE

No former agency head or elected official shall, for a period of two (2) years following the termination of his/her public service as the head of such agency or as an elected public official serving in such agency, assist another person, for compensation, in a transaction,

or in an appearance in connection with a transaction, involving that agency or render any service on a contractual basis to or for the School Board. No former member of the School Board shall, for a period of two (2) years following the termination of his/her public service on such School Board, contract with, be employed in any capacity by, or be appointed to any position by the School Board, except that the School Board may employ a former member for any classroom teaching position which requires a valid Louisiana teaching certificate or a school psychologist with a valid certificate in school psychology, provided the former School Board member holds such a certificate.

No former School Board employee shall, for a period of two (2) years following the termination of his/her employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his/her public employment and involving the School Board by which he/she was formerly employed, or for a period of two (2) such years following termination of his/her employment, render any service which such former public employee has rendered to the School Board during the term of his/her public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the School Board with which he/she was formerly employed.

FEDERAL GUIDELINES: CONFLICT OF INTEREST

In addition to other ethics provisions, in receiving federal funds the School Board shall ensure compliance with federal guidelines covering conflict of interest and governing the actions of officers and employees engaged in the selection, award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved. Such a conflict may arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in, or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the School Board shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to contracts.

Employees and volunteers shall be required to report any actual, possible, or perceived conflict of interest which they or others have, or may have, to their immediate supervisor as soon as they become aware of the conflict. A School Board member shall report the perceived conflict of interest to the Superintendent and School Board attorney.

Anyone who engages in activities that violate these provisions, including failure to disclose a conflict of interest, may be subject to disciplinary action up to and including termination of employment, and/or other appropriate sanctions.

DEFINITIONS

Agency means a department, office, division, agency, commission, board, committee, or

other organizational unit of a governmental entity. For public servants of political subdivisions, it shall mean the agency in which the public servant serves, except that for members of any governing authority and for the elected or appointed chief executive of a governmental entity, it shall mean the governmental entity.

Agency head means the chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.

Immediate family as the term relates to a public servant means his/her children, the spouses of his/her children, his/her brothers and their spouses, his/her sisters and their spouses, his/her parents, his/her spouse, and the parents of his/her spouse.

Public servant means a public employee or an elected official.

Revised: October, 1997
Revised: November, 1999
Revised: August, 2003
Revised: September, 2006
Revised: December, 2008
Revised: November, 2010

Revised: June, 2012
Revised: March 8, 2016
Revised: September 13, 2016
Revised: March 14, 2017
Revised: August, 2021

Ref: 2 CFR 200.318 (*General Procurement Standards*); La. Rev. Stat. Ann. §§17:81, 17:428, 42:1101, 42:1102, 42:1112, 42:1115, 42:1115.1, 42:1116, 42:1119, 42:1120, 42:1121, 42:1123, 42:1170; Board minutes, 10-14-03, 2-6-07, 4-21-09, 2-8-11, 8-7-12, 3-8-16, 9-13-16, 3-14-17.

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Item 2

Curriculum

The Curriculum policy has been revised to include the parent or guardian in the process of developing and reviewing the student's Individual Graduation Plan. Revisions made to a student's Individual Graduation Plan must be approved in writing by the student's parent or legal guardian.