

SCHOOL BOARD *ETHICS*

Recognizing that as a member of a public School Board and that each School Board member is filling a position of public trust, responsibility, and authority endowed by the State of Louisiana, the DeSoto 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.

All School Board members and School Board employees shall annually attest through signature verification that they have read the *School Board Ethics* policy.

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 DeSoto 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.

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.

Exceptions

Any School Board member or Superintendent whose immediate family member is employed, or who may be employed, as excepted below shall recuse himself 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. For any School Board in a parish having a population of fewer than sixty thousand (60,000) according to the latest federal decennial census, any member of the immediate family of any School Board member or of the Superintendent may be employed as a special education related services professional provided that such family member is licensed in an appropriate field for special education related services and such family member is the **only** applicant who meets the qualifications for the position who has applied for the position after it has been *advertised for at least thirty (30) days* in the official journal of the School Board. A special education related services professional shall include the

following when employed to provide special education services: a social worker, occupational therapist, physical therapist, speech therapist/pathologist, teacher of hearing impaired students, teacher of visually impaired students, or nurse.

3. Any immediate family member of a member of the School Board or the Superintendent who is employed pursuant to paragraphs 1 or 2 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.
4. For any School Board with a student enrollment population of four thousand nine hundred fifty (4,950) or less, any member of the immediate family of any School Board member may be employed as a school electrician provided that such family member has at least twenty (20) years of experience as an electrician.
5. An immediate family member of an athletic director of a school may be employed as a coach at such school.
6. 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.

PROHIBITED TRANSACTIONS

No School Board member, Superintendent, or employee shall receive anything of economic value, other than compensation and benefits from the School Board to which he/she is entitled, for the performance of the duties and responsibilities of his/her office or position, except as may be permitted by state law.

No School Board member, Superintendent, or employee, except as provided in La. Rev. Stat. Ann. §[42:1120](#), shall participate in a transaction in which he/she has a personal substantial economic interest of which he/she may be reasonably expected to know involving the governmental entity. Also, no School Board member, Superintendent, or employee, except as provided in La. Rev. Stat. Ann. §[42:1120](#), shall participate in a transaction involving the governmental entity 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, or who owes anything 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, 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 governmental entity when a violation of state law would result.

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 anything 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.

REPORTING OF VIOLATIONS

Employees, School Board members, and volunteers shall be required to report any actual, possible, or perceived conflict of interest or ethical violation which they or others have, or may have, to the Superintendent or his/her designee as soon as they become aware of the conflict. If the alleged violation involves the Superintendent, the report shall be made to the School Board President. The Business Services Department shall be responsible for monitoring School Board business transactions. The Human Resources Department shall monitor other activities for possible **ethics** violations and investigate any violations reported to them.

Anyone who engages in activities that violate any **ethics** 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.

Substantial economic interest means an economic interest which is of greater benefit to the public servant or other person than to a general class or group of persons, except:

1. The interest that the public servant has in his/her position, office, rank, salary, per diem, or other matter arising solely from his/her public employment or office.
2. The interest that an elected official who is elected to a house, body, or authority has in a position or office of such house, body, or authority which is required to be filled by a member of such house, body, or authority by law, legislative rule, or home rule charter.
3. The interest that a person has as a member of the general public.

Transaction involving the governmental entity means any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such particular matter which the public servant or former public servant of the governmental entity in question knows or should know:

1. Is, or will be, the subject of action by the governmental entity.
2. Is one to which the governmental entity is or will be a party.
3. Is one in which the governmental entity has a direct interest. A transaction involving the agency of a governmental entity shall have the same meaning with respect to the agency.

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Ref: [2 CFR 200.318](#) (*General Procurement Standards*)

La.	Rev.	Stat.	Ann.
§§ 17:81 , 17:428 , 42:62 , 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, 11-3-05, 12-7-06, 3-3-09, 2-3-11, 11-8-11, 10-4-12, 2-10-16, 9-1-16, 3-8-18, 12-2-21			

DeSoto Parish School Board