

## **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 Terrebonne 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.

1. My allegiance is first to the children of my parish or city school system and not to any political party or business organization.
2. I will not seek through my office special privileges or private gain, nor will I use my position to promote my business or professional interest.
3. I will seek to provide equal educational opportunities for all the children regardless of race, creed, or location.
4. I recognize that it is my duty to assist in formulating educational policy. However, I recognize that it is the duty and responsibility of the Superintendent in his capacity as executive officer to see that these policies are carried out.
5. I understand that in the selection of teachers and all other school personnel, the Superintendent nominates candidates for these positions and selection by the Board is made from such nominations based on merit alone. I will not bring pressure on the Superintendent to nominate candidates in whom I have a special interest. I will insist that the School Board reserve to the Superintendent the privilege and responsibility of nominations of candidates for school personnel. I recognize that the training of the child is a paramount matter and that giving employment is a secondary matter.
6. I understand that I have no authority as an individual School Board Member but must act with and through the School Board as a whole, and I must be governed by the decisions of the School Board.
7. I will keep myself as well informed as possible about the conditions in the school system and about such other matters as will help me serve as an efficient School Board Member.
8. Understanding that as a representative of the public, I will endeavor to keep the public informed about the progress and needs of the schools.

9. I will refrain from making any commitment upon any subject ,which rests within the School Board's authority for final discussion and decision.
10. Recognizing that all school personnel should work in close cooperation, I will give my hearty support to the total school program. I will not publicly criticize school personnel but will make such criticism to the Superintendent for investigation and action if necessary.
11. Recognizing that the Superintendent is the executive officer of the school system, any recommendations and complaints that may have been submitted to me shall be referred to the Superintendent for presentation to the School Board.
12. I will affiliate with my professional organization, the Louisiana School Boards Association, and as far as possible will attend the convention and take part in its activities.
13. Recognizing that the expenditure of public school funds is a public trust, I will endeavor to see that all public funds shall be expended efficiently, economically, and for the best interest of the schools.
14. With a basic belief in the dignity of the individual, I will respect teachers, and as a Board Member, I will not subject their daily lives to harsh or petty restrictions, which I would not impose on other good citizens.
15. I will attend School Board meetings with an open mind and listen to what other School Board Members and other individuals or groups have to say before making final decisions.
16. I will continue my interest in the school program at all times and as an individual citizen and champion of the schools, I will guard the interests of the school. When citizens and patrons who do not know or fail to remember my limitations of authority call on me to correct some situations in connection with the school, I will not avoid the issue by denying authority but will counsel with the applicant and advise him of procedure to be followed to resolve the problem in the best interest of education.
17. As the administration of the schools of Louisiana is conducted on parish-wide or city-wide basis and as my responsibility is to all the children, I will consider the program for the whole administrative unit in making my decisions. I will not try to seek special privileges for my own ward.

18. Recognizing the rights of the employee and the School Board, I will insist on following completely the procedure stipulated by law in every case where a teacher or other employee is being tried for incompetence or other causes, which might subject him to dismissal.

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 Terrebonne 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, 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~~ School Board or the ~~chief executive of a governmental entity~~ Superintendent shall be employed by the ~~governmental entity~~ School Board, 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, Superintendent, or principal 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~~ **has been** employed pursuant to paragraph 1 above **for at least one year** 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.

### PROHIBITED TRANSACTIONS

Any School Board Member, Superintendent, or employee is prohibited by state law, with limited exception as provided in La. Rev. Stat. Ann. §42:1120, from participating 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, any School Board Member, Superintendent, or employee is prohibited by state law, except as provided in La.

Rev. Stat. Ann. §42:1120, from participating 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 (25) percent, and who, by reason thereof, is in a position to affect directly the economic interests of such public servant.

Every public 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 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 Board, contract with, be employed in any capacity by, or be appointed to any position by the 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.

*Political activity* means an effort to support or oppose the election of a candidate for political office in an election.

*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:

- (a) 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.
- (b) 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.
- (c) 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:

- (a) Is, or will be, the subject of action by the governmental entity.
- (b) Is one to which the governmental entity is or will be a party.
- (c) 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, 42:1101, 42:1102, 42:1112, 42:1115, 42:1115.1, 42:1116, 42:1119, 42:1120, 42:1121, 42:1123, 42:1170; Board minutes, 12-16-97, 12-14-99, 11-18-03, 1-16-07, 3-17-09, 2-15-11, 9-18-12, 1-19-16, 8-2-16, 11-2-21, **9-6-22**.