

## **OFFICERS OF THE BOARD**

The East Baton Rouge Parish School Board shall elect at its annual meeting in January of odd numbered years, one of its members to serve as President and one to serve as Vice-President for a term of two (2) years. These officers may be removed during their term of office by a majority vote of the total Board.

The elections of Board officers shall be conducted in the following manner:

1. The office of President of the Board shall be filled first from nominations by other Board members, which nominations do not require a second. In the absence of the President and the Vice-President, the Superintendent shall preside.
2. If more than one person is nominated for the office of President, a vote shall be taken after nominations are closed. All Board members, including the nominees, may vote for only one nominee.
3. If a nominee receives the votes of a majority of the members of the total Board on the first ballot, that nominee shall be declared elected.
4. If no nominee receives a majority of the votes of the total Board on the first ballot, a second vote shall be taken between the two nominees receiving the most votes. If there is a tie vote between more than two candidates for the highest number of votes, or between two or more candidates for the second highest number of votes, all such candidates shall be included in the runoff election.
5. In the runoff election, the nominee receiving the greatest number of votes shall be declared elected, provided, however, that such nominee must have received the vote of a majority of the total Board.
6. In the event of a tie vote, or in the event of no nominee receiving the favorable vote of a majority of the total Board, voting shall continue until a nominee receives the vote of a majority of the total Board.

After the office of President has been filled, the office of Vice President shall be filled in the same manner as set forth above.

The President shall preside at all meetings of the Board and shall call special meetings when required. He/she shall sign with the Superintendent, the minutes and other official documents which require the signature of the President. He/she shall perform other duties as prescribed by law or Board policy. In the absence of the President or in the event of his or her death, or his or her inability or failure to act, the Vice-President shall perform the duties of the President and, when so acting, shall have all the powers of the President. If the President and Vice-President are absent from a meeting at which a quorum is present,

the Superintendent shall preside until the members elect one of their members to serve as President for that meeting.

The Superintendent shall serve as the secretary and treasurer of the Board. As secretary, he/she shall conduct all correspondence of the Board, keep and preserve all its records, receive all reports required by the Board, and see that such reports are in proper form, complete and accurate. He/she shall announce all meetings, prepare the agenda of all meetings, and attend all meetings of the Board and of its committees. In case the Secretary is absent, the Board may appoint another member of the Board, or other school personnel under the jurisdiction of said Board to act as secretary.

As treasurer, the Superintendent shall have the authority to sign and execute any and all documents associated with all transactions duly approved by the Board. He/she shall also be designated as the official custodian of all funds to which the Board is entitled by law and shall be responsible for the proper safeguarding and accounting for all such funds.

The treasurer shall issue a receipt for any monies coming into his or her hands and deposit such monies in accordance with the laws governing the deposit of public funds. He/she shall issue such warrants in payment of expenses lawfully incurred on behalf of the School Board, but except as otherwise provided by law, shall issue such warrants only after proper allowance or approval by the Board.

For each school year, the treasurer shall give a bond for the faithful performance of duties; said bond to be written by an insurance company licensed to do business in the State of Louisiana and in an amount to be determined by the Board. The treasurer shall be responsible under such bond for the faithful performance of duties as treasurer. The Board shall pay the premium of the bond.

Ref: La. Rev. Stat. Ann. ' ' 17:54, 17:55, 17:56, 17:64, 17:83, 17:91, 17:95.

## **DUTIES OF BOARD MEMBERS**

The members of the East Baton Rouge Parish School Board shall have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board member except when such statement or action is in pursuance of specific instructions from the Board.

No Board member, by virtue of his or her office, shall exercise any administrative responsibility with respect to the schools or as an individual command the services of any school employee.

The duties and obligations of an individual School Board member may be enumerated as follows:

1. To familiarize himself/herself with school law, regulations of the State Department of Education, School Board policies and administrative regulations and procedures;
2. To have a general knowledge of educational philosophy, aims and objectives of the system;
3. To work harmoniously with other Board members without trying to either dominate the Board or neglect his or her share of the work;
4. To vote and act in the Board meetings impartially for the good of the whole school district, not just a particular school district;
5. To accept the will of the majority vote in all cases and give wholehearted support to the resulting policy;
6. To represent the Board and the school system to the public in such a way as to promote both interest and support;
7. To refer complaints to the proper school authorities and to abstain from individual counsel and action; and
8. To act ethically in all matters at all times thereby representing the school district to the best of one's ability.

## **BOARD MEMBER ORIENTATION**

The School Board realizes the importance of a functional orientation program for Board members, especially new members. Under the guidance and directions of experienced Board members and the Superintendent, orientation shall be provided Board members to allow the members to become fully informed about the Board's functions, policies, procedures and problems. Administrative staff members shall participate in such activities at the direction of the Superintendent, when appropriate.

## **BOARD MEMBER CONTINUING EDUCATION**

Each School Board member shall be required to receive a minimum of six (6) hours of training and instruction in the school laws of this state, in the laws governing the powers, duties and responsibilities of school boards, and in educational trends, research, and policy. Such instruction may be received from an institution of higher education in this state, from instruction sponsored by the State Department of Education, or by an in-service training program conducted by a city or parish school board central office or the Louisiana School Boards Association.

The Superintendent shall be responsible for verifying that the instruction provided meets the requirements of state laws.

Board members who have completed the necessary instruction are not required to receive additional instruction upon being reelected to the School Board.

Ref: La. Rev. Stat. Ann. ' 17:53.

## **BONDED MEMBERS**

The East Baton Rouge Parish School Board shall require the Superintendent, and/or designee, and Board President, who are authorized to sign all checks written against school funds, to furnish a surety bond of not less than fifteen thousand dollars. In addition, the Superintendent, as treasurer of the Board, shall furnish an indemnity bond, made in favor of the governor and the Board in an amount to be set by the Board.

All bonds shall be purchased by the Board from a company licensed to do business in Louisiana. In addition, all bonds purchased by the Board on its employees shall include coverage against loss sustained by the Board through fraudulent or dishonest acts committed by any of the bonded employees or persons.

Ref: La. Rev. Stat. Ann. ' ' 17:95, 17:97.

## COMPENSATION AND EXPENSES

The East Baton Rouge Parish School Board shall provide an expense allowance and provide for expense reimbursement for its members in accordance with state law at a rate as set by the Board. Each member of the Board shall be authorized an expense allowance of \$800.00 per month and \$900.00 per month for the Board President. Board members shall also be authorized to receive reimbursement for mileage going to and from meetings as well as reimbursement for travel and related expenses outside the jurisdictional boundaries of the Board while on official School Board business, all in accordance with Board policy. For out-of-parish travel, Board members shall secure prior approval of the Board.

Any action increasing the compensation for Board members shall require a ***two-thirds vote of the total membership***. Before any action is taken, however, the Board shall advertise the time and place where the meeting is to be held to consider the expense allowance in the official journal of the Board on at least two (2) separate days during the fifteen (15) days immediately preceding such meeting.

The President may at the discretion of the Board be provided an additional monthly expense allowance of up to \$150.00 for his/her duties as President.

### BENEFITS

Members of the East Baton Rouge Parish School Board ("Board members") and their dependents shall be eligible to participate in the District's group health insurance plan in the same manner as active employees in the School System.

Any current or past Board member who has served in such capacity for at least eight (8) consecutive years immediately prior to the completion of the Board members last term of office shall be eligible to continue participation in the group health insurance program (hereinafter "eligible Board member") in the same manner as non-Board member retirees. If the eligible former Board member complies with the eight (8) year service and plan participation requirements, they shall be deemed fully vested participants in the District's group health insurance program.

### EXPENSES

School Board members shall be allowed a travel allotment of \$5,000 per Board member per fiscal year. An additional amount of \$5,000 shall be allotted for Board Leadership or designee to attend special events.

School Board members shall be reimbursed travel expenses in accordance with regulations established by the Board for staff personnel with the following allowances:

Transportation	least expensive air-fare or equivalent to and from the convention site, and incidental transportation fees such as buses, cabs, limousines, or other public conveyances
Fees and Registration	registration fees or comparable fees
Hotel or Motel Accommodations	single room rate
Meals and Incidental Expenses	maximum of \$40.00 per day, if incurred

All transportation tickets or fares, other than cab fares, and hotel or motel receipts shall be submitted with expense vouchers.

Revised: January, 2010  
Revised: September, 2011

Ref: Constitution of Louisiana, Art. VIII, Sec. 8; La. Rev. Stat. Ann. §§17:56; Board minutes, 8-20-09, 2-17-11.

## **BOARD COMMUNICATIONS**

East Baton Rouge Parish School Board members shall be provided with specific communications tools which are necessary to fulfill the Board members' duties. Specifically, each Board member shall be provided a computer, business software and Internet connectivity for the duration of his/her service to the community as a member of the Board; such provision shall be subject to the provisions of all applicable state rules and statutes.

Given the nature and dependency of system functions on the Board President and Vice President, the school system shall also provide, at their request, a cellular phone or similar technology to facilitate immediate access to both district staff and the community. All costs associated with this technology shall be borne by the School System, provided none of the incurred costs are of a personal nature.

The President and Vice President shall bear the sole responsibility for accurately reporting said expenses according to approved existing district policy and applicable state rules and statutes. Any and all personal charges incurred by the President or Vice President shall be reimbursed to the system in full, within ten (10) days of the billing notice from the School System to the Board member. Such accounting shall be available for public inspection through the Deputy Superintendent for Operations and Budget Management.

Ref: La. Rev. Stat. Ann. '17:81; Board minutes, 3-20-03.

## BOARD COMMITTEES

### STANDING COMMITTEES

The East Baton Rouge Parish School Board shall authorize the creation of standing Board committees to be charged with the deliberation of certain issues as deemed necessary. Such committees shall be composed of members of the Board, except where otherwise provided for herein. Beginning in 2005 and thereafter the chairperson and vice chairperson of each committee shall be an elected member of the School Board and each committee chairperson and vice chairperson shall be elected by the committee of the whole. The Board President shall be an ex-officio member of all standing committees. The Board's administrative staff representative on each committee shall provide a secretary to record the minutes.

School Board employees and community representatives may also serve unlimited two (2) year terms on standing committees of the Board. School Board employees are to be elected by their peers for a two (2) year term pursuant to established guidelines and procedures facilitated by the school system's Human Resources Department.

Effective immediately, only School Board members will participate and vote on matters involving litigation. Prior to 2005, if the chairperson is absent and the vice chairperson is a non-Board member, the Superintendent's designee to the committee shall chair the litigation discussion in executive session, if necessary.

The basic purpose of this procedure is to provide each committee with a fresh resource from which to draw by using the experience, knowledge, and background of the employee and community members.

The School Board has created the following standing committees:

- Instructional/Pupil Services
- School Operations
- Personnel Services
- Finance
- Transportation
- Long Range Planning

The Instructional/Pupil Services, School Operations, and Personnel Services Committees may meet monthly. These committees shall consist of a combination of Board members, employees, public members, and advisory members, all of whom shall have voting powers with the exception of advisory members.

The Long Range Planning Committee will meet quarterly and consist of Board members, employees, public members, and advisory members, all of whom shall have voting

powers with the exception of advisory members.

Standing committees of the Board will meet pursuant to promulgated schedules. However, the School Board President, committee chairpersons, vice chairpersons or Superintendent shall have the authority to call a special meeting should the need arise. Such call shall be made in writing at least forty-eight (48) hours in advance of the meeting. Whenever possible, announcements of committee meetings will be made at meetings of the Board, and the time and place of the meetings incorporated into the minute for purposes of public announcements.

Committees shall have deliberative and recommending powers only, unless the Board by formal action grants the committee the right and responsibility to act on certain specified matters. A committee shall consider only those items referred to it by the President of the Board, by the Superintendent, or by formal Board action.

### SPECIAL COMMITTEES

Other special committees may from time to time be appointed by the Board to study specific issues. The membership of any special committees need not be restricted to members of the Board, but shall include such persons who may have knowledge or interest in the subject studied.

### COMMITTEE MEETINGS

- A. All committees of the Board, whether standing committees, special or ad hoc committees, and all other bodies created or established by the Board preferably shall hold their meetings during the afternoons of the weeks that the Board is not having a regular meeting. All meetings of Board committees or other bodies created or established by the Board shall be held at the domicile and office of the Board at 1050 South Foster Drive, Baton Rouge, Louisiana.

The time and place of such committee meetings may be changed after due notice and in accordance with the Board's *Rules of Procedure*.

- B. In order to encourage free and open exchange of thoughts and ideas, committee meetings shall be conducted as informally as possible, subject to the following rules: The chair of each committee of the Board shall begin the committee meeting by calling on the person who placed an item on the agenda and asking him/her to explain the item and the action or recommendation sought from the committee. Following a motion and second to that effect, the members of the committee shall discuss the motion and any substitute or amending motions made in connection with that item. Following such committee discussion, and immediately prior to any vote on that item. The committee chair shall inquire of the audience if there are persons who wish to be heard on that agenda item and/or any motions under consideration by the committee. Subject to the right of the

committee chair to limit discussion of an item on the basis of time or otherwise, all persons desiring to address the committee shall be given that opportunity. Each person appearing before a committee shall be required to first identify himself/herself and the group or organization that he/she represents, if any. After all such persons have presented their comments, the committee chair shall ask if there are any committee members who would like to make additional comments. However, if amendments or substitute motions are proposed by members of the committee, the chair shall again provide opportunity for, public input as to such amendments or substitute motions. At the conclusion of all comments by the audience and committee members, the motion(s) before committee shall be voted on in the manner prescribed by the Board's *Rules of Procedure*.

- C. With the exception of (B) above and (D) below, all committees of the Board and any other body created or established by the Board shall function and be operated in accordance with the *Rules of Procedure* applicable to the Board, unless a particular provision applicable to the Board is clearly inapplicable to a committee.
- D. If a committee goes into Executive Session no person other than a Board member, the Superintendent and/or designee, and the General Counsel shall be admitted to such Executive Session without permission of the committee chair.
- E. An agenda shall be established for each meeting of each committee and notice thereof given in accordance with the Board's *Rules of Procedure*. The agenda for each committee meeting shall be closed at noon on the Friday prior to the week in which the committee is meeting and only Board members, committee members, the Superintendent, and/or designee may cause an item to be placed on the appropriate committee agenda for any committee meeting. Items are to be placed on a committee agenda by contacting the staff member who has been assigned to that committee, or the Superintendent and/or designee, and briefly explaining the subject matter of the proposed agenda item and the action on that item which is being sought.

No item or matter which is not on the official agenda of a committee for a particular meeting of that committee may be discussed or considered at such meeting, except after the ***unanimous approval of the membership of the committee present*** and a vote to suspend the rules to consider such item in the manner set forth in the *Rules of Procedure*. The motion to add an item not on the agenda shall identify the item with reasonable specificity, including the purpose for the proposed addition to the agenda, and shall be entered into the minutes. In keeping with state law and Board policy, prior to any vote to add an item to the agenda, there shall be an opportunity for public comment on the motion.

- F. The Superintendent and/or designee assigned to a particular committee, shall be responsible for seeing that any committee recommendation requiring action by the Board is placed on the agenda for the next Board meeting with a brief explanation

of the subject matter of the item. No item considered by a committee shall be placed on the agenda for a Board meeting unless the committee is requesting action by the Board on such item or the committee specifically votes to place such item on the Board agenda for Board discussion. However, this provision shall not be construed in such a manner as to limit the right of an individual Board member, or the Superintendent and/or designee, to place any item on the Board agenda that he/she so desires.

Revised: August, 2004  
Revised: September, 2008  
Approved: October 16, 2008

Ref: La. Rev. Stat. Ann. §§17:55, 17:81; Board minutes, 5-20-04, 7-15-04, 10-16-08.

## **BOARD ATTORNEY**

The Board recognizes that the increasing complexity of school system operations frequently requires procurement of professional legal services. Consequently, the Board shall employ legal assistance in accordance with statutes. The primary function of the Board's attorney shall be to provide professional legal counsel and representation to the Board and Superintendent.

The school district shall be authorized to institute litigation only upon approval of the School Board.

Ref: La. Rev. Stat. Ann. ' ' 16:2, 42:261.1.

**DISADVANTAGED BUSINESS ENTERPRISE PROCUREMENT POLICY**

The East Baton Rouge Parish School Board encourages business opportunities for disadvantaged business enterprises and shall establish an annual **goal** of at least twenty (20%) percent for participation in contracts and procurements for equipment, classroom supplies, transportation equipment, food and electronic devices and construction contracts.

The goals shall be based on historical contracting data for the School Board and any other factors determined by the Superintendent of Schools to be useful.

The Superintendent of Schools shall provide for the use of the Louisiana Unified Certified Program for Disadvantaged Business Enterprises (DBE) and encourage DBE vendors and contractors providing goods or services to the School Board to complete the Louisiana Department of Transportation and Development's certification program.

The Superintendent of Schools shall provide an annual report to the Board as to the effectiveness of reaching and maintaining the annual goal.

The Superintendent of Schools shall require that all contracts and purchases require contractors and vendors to maintain Equal Employment Opportunity Policies.

## **CONSULTANTS**

The East Baton Rouge Parish School Board may employ consultants as needed to provide technical or other specialized assistance. A contract or agreement for consulting services shall be required. Each contract for consulting services shall contain as a minimum a description of the work to be performed and objectives to be met, amount and time of payments to be made, description of reports or other deliveries to be received, and circumstances under which the contract can be terminated. All consultants shall be approved by the Superintendent or his/her designee prior to their engagement.

Each person responsible for engaging the services of consultants shall have the responsibility of negotiating the most reasonable honorarium or daily fee appropriate for the services to be performed.

Expenses of consultants shall be reimbursed by the Board, based on receipts submitted, in accordance with the applicable agreement approved by the Superintendent or his/her designee. It shall be the responsibility of the engaging administrator to see that the contract guidelines are followed. If any of the required receipts are missing, the request for payment shall not be honored by the Accounting Department.

Ref: La. Rev. Stat. Ann. '17:81.

## MEETINGS

The East Baton Rouge Parish School Board has the authority to hold as many Board meetings per month as the Board deems necessary. The Board shall conduct at least one (1) regularly scheduled meeting per month, with the time, date, and place to be published at the beginning of the calendar year. All regular meetings of the School Board shall be held on the third Thursday of each month at 5:00 p.m. in the School Board office, 1050 South Foster Drive, Baton Rouge, Louisiana. From time to time, as circumstances may dictate, the time, the date, and the place for regular meetings may be changed by the Board.

Special meetings may be called in writing by the President or Vice-President or a majority of Board members at a time and place designated by the person calling the meeting.

At any regular or special meeting of the Board, no business may be transacted which does not come within the purpose or purposes set forth in the agenda for the meeting, except upon ***unanimous approval of the members of the Board present*** at that meeting. The motion to add an item not on the agenda shall identify the item with reasonable specificity, including the purpose for the proposed addition to the agenda, and shall be entered into the minutes. In keeping with state law and Board policy, prior to any vote to add an item to the agenda, there shall be an opportunity for public comment on the motion.

The public and news media shall be informed of the dates of all regular and special meetings.

All meetings shall be open to the public except meetings that meet the criteria described in Louisiana law for being closed meetings.

Official actions or decisions shall be made only in official meetings of the Board. No member of the Board or any committee of the Board shall have the power to act in the name of the Board outside of official Board meetings unless so designated by a majority of the Board duly convened.

### ANNUAL PLANNING MEETING

The East Baton Rouge Parish School Board shall have an annual planning meeting for the purpose of setting annual goals, reviewing existing policies and the consideration of establishing new policies. This annual planning meeting is also designed to allow the Board to take a comprehensive review of the school system as a whole.

The annual planning meeting will also facilitate an open discussion of issues important to Board members, school system administrators, the community at large, business and industry as well as strategic planning. This annual meeting will operate as a Board

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Cf: BCBI, BCBK

workshop.

Advanced public notice shall be given of this annual meeting in accordance with applicable state law. All items under consideration shall be considered for discussion purposes only. There shall be no motions made or votes taken.

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Revised: September, 2008  
Approved: October 16, 2008

Ref: La. Rev. Stat. Ann. §§17:81, 42:4.1, 42:42, 42:5, 42:5.2, 42:6, 42:6.1, 42:7, 42:7.1, 42:9, 42:10; Board minutes, 8-21-03, 10-16-08.

## BOARD MEETING RULES OF PROCEDURE

The East Baton Rouge Parish School Board recognizes that it is essential to the maintenance of a democratic society that public business be performed in an open and public manner, except as provided by state law, and that the citizens be advised of and be aware of the performance of public officials and the deliberations and decisions that go into the making of public policy.

In matters of procedures not covered by law, Board policy, or the State Board of Elementary and Secondary Education, meetings of the Board, including committee meetings, shall be governed by Robert's Rules of Order, Revised. The President shall be entitled to discuss and vote on all matters before the Board.

### RULES OF PROCEDURE

#### I. TIME, PLACE, AND AGENDA OF REGULAR SCHOOL BOARD MEETINGS

- A. The East Baton Rouge Parish School Board shall hold regular meetings of the Board at 5:00 p.m. on the third Thursday of each month to consider those items contained on the agenda prepared for that meeting, and each meeting shall be conducted in accordance with these *Rules of Procedure*.
- B. Except as otherwise provided in these *Rules of Procedure* all meetings of the Board shall be held at its domicile and offices at 1050 South Foster Drive, Baton Rouge, Louisiana.
- C. A regular meeting of the Board may be cancelled, or the time and place thereof changed, by a motion duly adopted at a regular or special meeting of the Board. Notice of such change and notice of the agenda for any regular Board meeting shall be given by:
  1. Posting a copy of the notice at the School Board Office, or publishing same in the official journal of the Board no less than twenty-four (24) hours before the meeting; and
  2. Mailing a copy of the notice and agenda to any member of the news media who requests notice of such meetings; any such member of the news media shall be given notice of all meetings in the same manner as is given to members of the Board.

#### II. SPECIAL MEETINGS OF THE BOARD

- A. Special meetings of the Board may be called only by the President or by a majority of the entire Board except that when the President is out of the

Parish, ill, or otherwise unavailable, the Vice-President of the Board may call a special meeting of the Board.

- B. No special meeting may be called except upon written notice to the members of the Board, Superintendent, and public or by motion adopted at an official School Board meeting. Such written notice must be signed by the President, Vice President, or a majority of the members of the entire Board, as the case may be. Such written notice shall be provided at least twenty-four (24) hours prior to the time of such special meeting; additionally, the Superintendent and/or his/her designee shall attempt to contact all Board members by telephone. Such written notice shall also be posted at the School Board Office and forwarded to any member of the news media who has requested such notice.
- C. The written notice required herein, or the motion adopted at an official Board meeting, shall state the date, time and place of such special meeting and shall specify the matters to be considered at such meeting.

No matter or item not stated in the call for the special meeting shall be considered by the Board at such meeting except upon ***unanimous approval of the Board members present***. The motion to add an item not on the agenda shall identify the item with reasonable specificity, including the purpose for the proposed addition to the agenda, and shall be entered into the minutes.

- D. In cases of extraordinary emergency, the time and notice requirements of this section shall not be required, provided, however, that the person or persons calling such special meeting shall give such notice thereof as they deem appropriate and circumstances permit, including notice to the news media in the same manner as notice is given to Board members. The existence of an extraordinary emergency and waiver of the time and notice requirements must be approved by a favorable vote of a *majority of the total Board* at such special meeting.

### III. QUORUM AND VOTE NECESSARY FOR AFFIRMATIVE ACTION

- A. No meeting of the Board may be officially convened and conducted unless a quorum (simple majority of the total membership of the Board) is present.
- B. Except as provided in Sections II(C), V(A), (G) and (H), VI(B), (D) and (E), VIII, and IX hereof, any motion, resolution or other action of the Board shall be deemed valid only upon a favorable vote of a *majority of the members of the total Board* taken at a properly called regular or special meeting of the Board.

- C. Should a quorum cease to be present after a meeting has been officially convened, the presiding officer shall recess the meeting for such time as is deemed appropriate to attempt to reestablish a quorum and may thereafter declare the meeting adjourned if such presiding officer determines that a quorum cannot be obtained within a reasonable time.

#### IV. VOTING PROCEDURE AND REQUIREMENTS

- A. Voting shall be by the use of an electronic voting board which will reflect simultaneously a "yes", "no", or "abstain" vote of each member present. When the voting board does not correctly reflect the voting intent of a member of the Board, that member may correct his/her vote by immediately advising the presiding officer of such error prior to announcement of the vote by the presiding officer.
- B. When the voting board is not available, the vote may be taken by a show of hands or by roll call of the members present at the discretion of the presiding officer. Each Board member must be present in his/ her seat in the Board meeting room in order to have his/her vote counted on the voting board or otherwise; and no Board member or other person may cast a vote, in any manner, for another member of the Board.
- C. There shall be no voting by proxy and no voting by secret ballot.
- D. In determining whether a particular motion, resolution or action of the Board has received the requisite number of "yea" votes, an "abstention" shall not be counted, and that member shall be considered as not voting. This rule shall apply regardless of whether the required number of favorable votes must be of the total membership of the Board, of those members present or, of those members present and voting.

#### V. SCHOOL BOARD MEETING AGENDA

- A. The Superintendent and/or his/her designee, with the approval of the President, shall prepare a written agenda for each regular Board meeting, which shall list the specific items of business for which Board action is required and except for Administrative Matters as described in Section VIII hereof, no matter may be considered by the Board which has not been listed on such agenda except after a motion to suspend these rules to consider a specific item has been adopted ***unanimous approval of the Board members present***. The motion to add an item not on the agenda shall identify the item with reasonable specificity, including the purpose for the proposed addition to the agenda, and shall be entered into the minutes.
- B. No business, item or matter may be placed upon the agenda for any

Board meeting except at the direction of a member of the Board or the Superintendent, and no business matter or item not listed on such agenda may be considered by the Board or discussed at the meeting without a suspension of the rules as provided herein above.

- C. The agenda for any particular meeting of the Board shall be considered as closed as of 12:00 noon on the Tuesday immediately preceding such Board meeting, and the Superintendent is hereby specifically prohibited from placing any item, with the exception of items under *Administrative Matters*, on the agenda after that time regardless of who makes the request.
- D. Upon the agenda's being closed, the Superintendent and/or his/her designee shall immediately prepare the written agenda and provide to each member of the Board, the Superintendent, the Board's general counsel, and all newspapers and television and radio stations who have submitted a written request for such notification and agenda. The Superintendent and/or his/her designee shall, at the same time, post a copy of the agenda on the front door of the School Board Office and have copies available for interested citizens.
- E. Any item placed on the agenda shall contain a brief explanation of the subject matter of the item, and the Superintendent is hereby specifically prohibited from placing an item on the agenda which does not contain such explanation.
- F. Any citizen or organization may request consideration by the Board of an item concerning matters within the jurisdiction of the Board at a particular Board meeting by submitting such request in writing to the Superintendent and/or his/her designee, together with a brief explanation of the subject matter and the action requested of the Board, by 12:00 Noon on the Monday of the week in which consideration is requested. Within twenty-four (24) hours after the written request is received, the Superintendent and/or his/her designee shall notify the citizen or organization making such request as to whether or not the Superintendent has placed such item on the agenda.
- G. The written agenda prepared by the Superintendent and/or his/her designee shall list the business of the Board for a particular meeting in the following order:

#### AGENDA FOR REGULAR BOARD MEETING OF

1. Call to order, invocation and pledge of allegiance.
2. Roll call for determination of a quorum present.

3. Approval of minutes.
  4. Educational presentations and recognitions by the Board or Staff.
  5. Superintendent's Report.
  6. Unfinished Business. Under unfinished business will be listed items from previous agendas which were not completed and/or which were specifically deferred to this particular meeting. These items shall be listed exactly as they appeared on the previous agenda.
  7. New Business. Recommendations of the Superintendent and/or Board Committees. Under the item "New Business" shall appear those items requested for the agenda by the Superintendent, a member of the Board or a Board Committee prior to the closing of the agenda. The Superintendent's recommendations and reports and recommendations of the Board Committees shall be listed first, followed by other items that are requested. Items of major policy change, teacher allotments, adoption of annual budgets. The semi-annual budget revision and attendance zone changes shall not be voted upon for final action at the meeting wherein these items are first presented.
  8. Personnel Changes. This item is limited to consideration of the list of personnel changes, appointments, resignations, terminations and reassignments.
  9. Administrative Matters. Matters under this item are limited to those presented by the Superintendent under the authority of and in accordance with Section VIII of these *Rules of Procedure*.
  10. Adjournment. Meetings of the Board may be adjourned on motion of the presiding officer or any member of the Board, which motion will carry unless objections are raised. In the event objection to the adjournment is raised, a vote shall be taken on the motion to adjourn without need of a second to the motion, and the meeting shall be adjourned on the vote of a majority of the members present and voting.
- H. Subject to the exceptions listed below, no item, matter, subject or business which has been considered and voted on at a previous Board meeting, regardless of the nature of the motion voted upon and regardless of the outcome of the vote, may be considered at a subsequent Board meeting until after the expiration of sixty (60) days from such vote, unless a motion to suspend the rules to reconsider such item

has first been duly made, seconded and carried by the favorable vote of ***two-thirds*** of the total membership of the Board. This prohibition shall not apply where the previous motion was to defer action on the item for a specific period of time or until a specific Board meeting or where the previous motion was to refer the matter to staff personnel or to a committee of the Board for further study. This prohibition shall also not apply to consideration of items supplemental to an item previously acted upon, but shall apply only where the purpose of the item is to change previous Board action.

## VI. CONDUCT OF SCHOOL BOARD MEETING

- A. The purpose of Board meetings is to allow the duly elected representatives of the people to consider and act upon matters of importance to the operation of the school system which are within the jurisdiction and authority of the Board. It is in the best interest of the citizens of this parish that such meetings be conducted in an orderly and expeditious manner which permits full presentation of information and viewpoints by interested citizens, followed by thorough discussion among the Board, the Superintendent and designated members of the staff, and concluded with debate and final decisions by the Board on those items of business listed on the agenda. To that end, rules in this section shall govern the conduct of all meetings of the Board and its committees and subcommittees.
- B. The President of the Board, or in his/her absence, the Vice President of the Board, shall serve as the presiding officer for all Board meetings. In the absence of both the President and the Vice President, the Superintendent shall serve as the presiding officer until a temporary chair for that meeting has been elected by a *majority vote of those members present and voting*.
- C. After the call to order, invocation, pledge of allegiance, student presentation, roll call and action on the minutes of any previous meeting, the presiding officer shall call, in the order listed on the agenda, first the items under unfinished business and then the items under new business, and shall recognize first the Superintendent or the Board member who caused such item to be placed on the agenda. The Superintendent or Board member shall then explain the item and make, or recommend, as the case may be, such motion as he/she shall desire. After such motion receives a second, the presiding officer shall open the floor for community input not to exceed five (5) minutes for any one individual or group or organization. The presiding officer shall, with the approval of the Board, set a time limitation on an agenda item. At the conclusion of the public input, the presiding officer shall recognize any members of the Board, the Superintendent and members of the staff designated by the

Superintendent, who wish to be heard on that item, in the order the presiding officer deems advisable. Each Board member shall be allowed ten (10) minutes to express his/her initial views on any agenda item, motion, substitute motion or amendment related to each agenda item and five (5) minutes for further comment. No member of the Board or staff shall speak without first being recognized by the presiding officer.

- D. After discussion by the members of the Board and the Superintendent and/or his/her designees has been completed, the presiding officer shall call for the vote upon the pending motion or any amendments or substitute motions which may have been made. During Board discussion of an agenda item, any Board member, at any time, may move the question on any pending motion, substitute motion, amending motion, etc. and thus conclude further discussion of same, provided there is an affirmative vote of ***two-thirds*** of the members present and voting on the motion for the call for the question.
- E. The presiding officer of any meeting shall conduct such meeting in accordance with these *Rules of Procedure* and shall have authority to make rulings on interpretation of these *Rules of Procedure* and any other matter or question which may arise with regard to conducting the meeting, including recognition of speakers, whether a speaker is out of order, etc. The decision of the presiding officer shall be final unless appealed by a Board member to the entire Board as set forth herein below. Any member of the Board who disagrees with a decision of the presiding officer may appeal such decision to the total Board. Such appeal may be taken by a statement to that effect and no second is required. The presiding officer shall immediately call for a vote on the question of whether or not the ruling of the presiding officer shall be sustained. Upon a *favorable vote of a majority of those Board members present and voting* including the presiding officer the rules of the presiding officer shall have been sustained.
- F. In the conduct of meeting of the Board, any question not covered by these *Rules of Procedure* shall be governed by *Roberts Rules of Order, Revised*.

## VII. ORDER AND DECORUM AT SCHOOL BOARD AND COMMITTEE MEETINGS

It is in the public interest that meetings of the Board or its committees, in handling the public's business, be conducted in an orderly and dignified manner. To this end, the following rules are established for the conduct of all persons, including Board members and staff members, attending a meeting of the Board or its committees.

No signs, posters, placards, etc. shall be affixed to the walls, doors, etc. of the

Board office building or any room therein, except by the Board staff in connection with Board business and then only with permission of the Superintendent and/or his/her designee. No sign, placard, or poster which is carried by hand shall be permitted in the Board office building or any of its rooms.

All persons attending meetings of the Board or of its committees must be recognized by the presiding officer before speaking. In return, the presiding officer and other Board members shall courteously receive the comments made by such persons. Any person who fails or refuses to obey the rulings and directions of the presiding officer, or otherwise disrupts the meeting in any manner, shall be requested by the presiding officer to leave the meeting room for the remainder of that meeting. If any person refuses to follow the directions of the presiding officer, the presiding officer shall cause such person to be removed from the meeting as authorized by La. Rev. Stat. Ann. §42:6.1(C) and other applicable laws of the State of Louisiana.

#### VIII. ADMINISTRATIVE MATTERS

Administrative matters shall be limited to matters of administration which the Superintendent believes should be brought to the attention of the Board and/or matters which have come to his/her attention after the agenda for that meeting was officially closed and/or which are in need of immediate action by the Board. Any items under *Administrative Matters* which require Board action may be considered only after suspension of the rules by a favorable vote of **two-thirds of the total membership of the Board**.

#### IX. REPEAL OR SUSPENSION OF RULES OF PROCEDURE

The *Rules of Procedure* may not be repealed or amended except by the affirmative vote of **two-thirds of the total membership of the Board**.

#### X. SEVERABILITY

If any provision item, section, paragraph, clause, or phrase of these *Rules of Procedure* or the application thereof, is held invalid, such invalidity shall not affect any other provision, item, section, paragraph, clause, phrase, or application of these *Rules of Procedure* which can be given effect without the invalid provisions, items, sections, paragraphs, clauses, phrases or applications, and to this end the provisions of the *Rules of Procedure* are hereby declared to be severable.

Revised: September, 2008

Approved: October 16, 2008

Ref: La. Rev. Stat. §§17:81, 42:4, 42:5.1, 42:7, 42:8 42:1120; Board minutes, 10-16-08.

## NOTIFICATION OF BOARD MEETINGS

The East Baton Rouge Parish School Board shall give written public notice of all regular meetings, if established by resolution, at the beginning of each calendar year. The Board shall also give written public notice of any regular, special, or rescheduled meeting, no later than twenty-four (24) hours before the meeting. In cases of extraordinary emergencies, such notice shall not be required, however, the Board shall give such notice of the meeting as it deems appropriate and circumstances permit.

Notice for committee meetings shall be given one (1) week in advance of the date of the meeting, whenever possible, but in no case less than twenty-four (24) hours prior to the meeting.

Public notice of any meeting shall include the agenda, date, time, and place of the meeting. The agenda included in the notice shall be reasonably clear so as to advise the public in general terms of each subject to be discussed at the public meeting. In addition, attached to the written notice shall be information as to whether or not any matters will be discussed in executive session. The notice shall indicate the following:

1. A statement identifying the court, case number, and the parties relative to any pending litigation to be considered at the meeting.
2. A statement identifying the parties involved and reasonably identifying the subject matter of any prospective litigation for which formal written demand has been made that is to be considered at the meeting.

Written public notice given by the Board shall include, but not be limited to:

1. Posting a copy of the notice at the Board's central office or by publication of the notice in the Board's official journal no less than twenty-four (24) hours before the meeting.
2. Mailing and otherwise providing a copy of the notice to any member of the news media who requests notice of such meetings; any such member of the news media shall be given notice of all meetings in the same manner as is given to members of the School Board.

Ref: La. Rev. Stat. Ann. ' ' 17:81, 42:4, 42:7, 42:8.

## MINUTES OF BOARD MEETINGS

The East Baton Rouge Parish School Board shall require written minutes of all of its open meetings be kept. Such minutes shall include:

- (1) The date, time, and place of the meeting.
- (2) The members of the public body recorded as either present or absent.
- (3) The substance of all matters decided, and, at the request of any member, a record, by individual member, of any votes taken.
- (4) Any other information that any School Board member requests be included or reflected in the minutes.

The Superintendent and/or his/her designee shall be responsible for keeping all minutes of the Board by tape recording and, within twenty (20) days after the meeting at which the minutes are approved, present a written version to be published one (1) time in the official journal of the Board. The minutes shall be mailed to each member as soon as reasonably possible following the meeting. The acts of the Board are filed and maintained in its administrative offices as public records and shall not be moved therefrom.

The minutes shall be public records and shall be made available within a reasonable time after the meeting except where such disclosures would be inconsistent with statutory provisions. In addition, transcribed minutes of meetings shall reflect total transactions of Board considerations and when approved shall bear the signature of the Secretary and President.

### OFFICIAL JOURNAL

The School Board shall select at its first meeting in June of each year, through public advertisement and bid, a newspaper of the municipal boundaries as the official journal of the School Board to publish all official minutes of Board meetings, as well as all other legal advertising. The official journal shall be selected annually and meet all qualifications as outlined in state law and any others the Board may prescribe.

Revised: October 21, 2010

Ref: La. Rev. Stat. Ann. §§17:81, 42:4.1, 42:4.2, 42:7.1, 43:141, 43:144, 43:145; Board minutes, 10-21-10.

## EXECUTIVE SESSIONS

The East Baton Rouge Parish School Board, or any of its committees, shall be authorized to hold executive sessions upon an affirmative vote, taken at an open meeting for which notice has been given in accordance with state law, of ***two-thirds of the members present***. The vote of each member on the question of holding an executive session and the reason for holding such an executive session shall be recorded and entered into the minutes of the meeting.

Such executive sessions shall be restricted only to matters allowed to be exempted from discussion at open meetings. No final or binding action shall be taken at such a closed meeting; nor shall such closed meetings be used as a subterfuge to defeat the statutory intent for conducting executive sessions.

Executive sessions shall be attended only by members of the Board, the Superintendent, the Board's General Counsel and any other persons designated by the Board President. All matters discussed in any closed meeting shall be regarded as confidential by all persons in attendance and shall not be divulged to the public.

Closed meetings may be held for the following reasons:

1. Discussion of the character, the professional competence, physical or mental health of a person, provided that such person is notified in writing at least twenty-four (24) hours before the meeting and that such person may require that such discussion be held at an open meeting, and provided that an executive session shall not be used for discussion of the appointment of a person to the Board. In cases of extraordinary emergency, written notice to such person shall not be required; however, the Board shall give such notice as it deems appropriate and circumstances permit.
2. Strategy sessions or negotiations with respect to collective bargaining or litigation, when an open meeting would have a detrimental effect on the bargaining or litigating position of the Board. Attached to the written public notice of the meeting shall be whether or not such matters will be discussed in an executive session. The notice shall indicate the following:

A statement identifying the court, case number, and the parties relative to any pending litigation to be considered at the meeting.

A statement identifying the parties involved and reasonably identifying the subject matter of any prospective litigation for which formal written demand has been made that is to be considered at the meeting.

In cases of extraordinary emergency, such notice shall not be required;

however, the Board shall give such notice of the meeting as it deems appropriate and circumstances permit.

3. Discussion regarding the report, development, or course of action regarding security personnel, plans, or devices.
4. Investigative proceedings regarding allegations of misconduct.
5. Cases of extraordinary emergency, which shall be limited to natural disaster, threat of epidemic, civil disturbances, suppression of insurrections, or the repelling of invasions, or other matters of similar magnitude.
6. Discussions between the Board and individual students or the parents or tutors of such students, or both, who are within the jurisdiction of the respective school system, regarding problems of such students, their parents, or tutors. Such a discussion may be held in open meetings at the request of the student, parent or tutor.
7. Any other matters now provided for or as may be provided for by the Legislature.

Ref: La. Rev. Stat. Ann. ' ' 17:81, 42:4.1, et seq.

## POLICY DEVELOPMENT

The School Board shall formulate policies to guide the action of those to whom it delegates authority. These guides shall constitute the policies governing the operation of the school district. They shall be recorded in writing and made a part of the official School Board Policy Manual.

The formulation and adoption of Board policies shall constitute one method by which the Board shall exercise its leadership in the operation of the school district. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board shall exercise its control over the operation of the school district.

The policies of the Board are meant to be interpreted in terms of Louisiana laws, rules and regulations of the State Board of Elementary and Secondary Education, and all other regulatory agencies within the local parish, state, and federal levels of government.

The operation of policy or section of policy not established by law or contract may be temporarily suspended by a majority vote of Board members present and voting at a regular or special meeting.

### POLICY ADOPTION

The Board recognizes policy adoption as a major responsibility. For a policy to be adopted by the Board, it must receive a vote of a *majority of members of the total Board*. A policy recommended to the Board shall not be adopted until a subsequent meeting. This practice provides Board members time to study the proposed policy and to give interested parties an opportunity to respond.

The formal adoption of Board policies shall be recorded in the minutes of the Board. The official minutes shall constitute the authority for any change made in the ***Policy Manual***.

The Board is recognized as the legal body authorized to approve policies for the School District, and shall not delegate or relinquish that authority to another party or group. The Board welcomes comments and suggestions on local policy matters, and will comply with all laws addressing proper involvement of other parties in the policy process.

### POLICY REVIEW

The Board shall periodically direct the systematic review of its policies. The Superintendent shall appropriately involve representative groups of administrators, teachers, supervisors, students, support personnel and lay citizens relative to policies affecting each group.

The Board shall appoint a *discipline policy review committee*, whose selection of members shall be neither discriminatory nor arbitrary in nature. The purpose of the discipline policy review committee shall be to annually review discipline policies of the Board to assure consistency with state law, receive input into the effectiveness of established policy, and make recommendations to improve policy provisions. A public hearing shall be held on the recommendations before the Board considers revising any of the discipline policies. State law also requires the administrators, teachers and parents of each public school to meet annually and develop or review the discipline regulations for their school and assure compliance with Board policy and state law.

#### POLICY DISSEMINATION

The Board shall direct the Superintendent and/or his/her designee to establish and maintain an orderly plan for disseminating School Board policies and administrative rules and regulations.

School Board policies and administrative rules and regulations shall be made accessible to all employees of the school district directly or indirectly affected by those policies. Board policies and administrative rules and regulations shall also be made accessible to members of the Board, students and members of the community served by the school district.

#### ADMINISTRATION IN ABSENCE OF POLICY

In cases where action must be taken within the school system where the Board has no formalized policy statement, the Superintendent shall have the power to act. His or her decisions, however, shall be subject to review by action of the Board at its regular meeting.

It shall be the duty of the Superintendent to inform the Board promptly of such action and of the need for policy if in his or her best judgement, a need for such policy exists.

Ref: Constitution of Louisiana, Art. VI, Sec. 10; La. Rev. Stat. Ann. ' 17:416.8.

## **ADMINISTRATIVE REGULATIONS AND PROCEDURES**

The East Baton Rouge Parish School Board delegates to the Superintendent and/or his/her designee the function of specifying required actions and designing the detailed arrangements under which schools will be operated. These detailed arrangements shall constitute the administrative regulations and procedures governing the schools and shall be designed to effectively implement the policies of the Board. They shall be defined in written form and organized by subject or date with adequate indexing for easy use. Formatting and distribution shall be so as to facilitate easy filing and proper use, and distribution shall include the members of the Board. The administrative regulations and procedures established by the Superintendent and staff shall in every respect be consistent with the policies of the Board.

The Board itself shall strive to formulate and adopt regulations only when specific state laws require Board adoption. But, the Board may also do so when the Superintendent recommends Board adoption in light of strong community attitudes or probable staff responses.

Ref: La. Rev. Stat. Ann. '17:81.

## SCHOOL BOARD ETHICS

Recognizing that as a member of a public school board and that each Board member is filling a position of public trust, responsibility, and authority endowed by the State of Louisiana, the 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 Board members, as well as other designated officials, shall be in accordance with state law.

### GIFTS

Acceptance of personal gifts by any Board member or employee of the East Baton Rouge Parish School System from persons or firms doing business with any East Baton Rouge Parish School System entity is prohibited. Reduced cost and/or free travel expenses are also defined as gifts with regard to this policy. This policy does not preclude acceptance of food or drinks of a social nature or participation in a social event. This policy shall not preclude the acceptance of campaign contributions for use in meeting campaign expenses by any employee or 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, except that the School Board may employ any member of the immediate family of any Board member or the Superintendent as a classroom teacher provided that such family member is certified to teach. Each member of the Board which employs a member of the immediate family of a School Board member or the Superintendent shall recuse himself/herself from any decision involving the promotion or assignment of teaching location of the employee.

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.

## 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 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, 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 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.

## 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.

## 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 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.

Ref: La. Rev. Stat. Ann. §§ 17:428, 42:1101, 42:1102, 42:1116, 42:1119, 42:1121.