

SENATE BILL NO. 86

BY SENATOR PERRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 42:1119(B)(2)(a)(i) and (v), relative to the Code of Governmental Ethics; to provide relative to the employment of the family of an agency head; to provide for the applicability of the nepotism provision for certain local school board employees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1119(B)(2)(a)(i) and (v) are hereby amended and reenacted to read as follows:

§1119. Nepotism

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B.

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(2) Notwithstanding the provisions of Paragraph (1) of this Subsection:

(a)(i) Any local school board may employ any member of the immediate family of any board member or of the superintendent as a classroom teacher provided that such family member is certified to teach **or is temporarily authorized to teach while pursuing certification**. Any local school board in a parish having a population of fewer than sixty thousand according to the latest federal decennial census may employ any member of the immediate family of any board member or of the superintendent 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 set by the school board who has applied for the position after it has been advertised for at least thirty days in the official journal of

1 the school board. A special education related services professional shall include the
 2 following when employed to provide special education services: a social worker,
 3 occupational therapist, physical therapist, speech therapist/pathologist, teacher of
 4 hearing impaired students, teacher of visually impaired students, or nurse. Any
 5 school board member or superintendent whose immediate family member is
 6 employed by the school board shall recuse himself from any decision involving the
 7 promotion or assignment of teaching or service location of such employee.

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 9 (v) ~~In a parish with a population of twenty-six thousand or less, an~~ **An**
 10 immediate family member of a member of a local school board or of a
 11 superintendent who is employed pursuant to Item ~~(B)(2)(a)(i)(i)~~ of this Paragraph
 12 **Subparagraph** may be promoted to an administrative position by such school board
 13 provided that such family member has the appropriate qualifications and
 14 certifications for such position. A school board member whose immediate family
 15 member is to be promoted to an administrative position pursuant to this Item shall
 16 recuse himself from any action involving the promotion or assignment of job
 17 location of such employee, and a superintendent whose immediate family member
 18 is to be promoted to an administrative position shall disqualify himself from any
 19 action involving the promotion or assignment of job location of such employee. For
 20 purposes of this Item, the term "certifications" shall not include any temporary or
 21 provisional certification or certifications.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____