

Summary of School Board Reform Bills

As of May 15, 2009



House Bill 371 – School Nepotism Law

This bill amends Louisiana Revised Statutes 42:1119(B)(2) and (a) and (F) and reenacts them as R.S. 42:1119(G).

- Immediate family members of the superintendent may no longer be employed as classroom teachers.
- Immediate family members of the superintendent in a parish with a population of 25,500 or less may no longer be employed as a guidance counselor.
- Immediate family member of the superintendent in a parish with a population of 26,000 or less that is currently employed as a classroom teacher may no longer be promoted to an administrative position by the school board.
- Creates law that requires a school board member or superintendent to not participate in decisions involving the hiring, promotion, or assignment of an immediate family member employed by the board. It also adds that he may not participate in actions involving salary and benefits of an immediate family member employed by the board.

House Bill 664 – Establishing Term Limits

This bill amends and reenacts Louisiana Revised Statutes 17:52(A).

- Adds term limits for city, parish, or other local public school board members.
- If at the end of the term in office a member has served for more than two and one-half terms in three consecutive terms, then he is not be eligible for re-election to the next term.
- Applies only to terms that begin on or after January 1, 2010.
- Establishes only a minimum term limitation and allows for more stringent limits to be later enacted. For example, the school board or another law could set a term limit of two terms, as opposed to the three allowed under this law.

House Bill 808 – Compensation and Benefits

This bill enacts Louisiana Revised Statutes 17:56(F) and (G) and repeals R.S. 17:56(D).

- Creates a per diem compensation for school board members of not more than \$50/day for actual attendance at meetings of the full board and of their assigned committees. The total compensation cannot exceed \$200/month for members and \$300/month for the board president.

- Allows for a mileage allowance for going to and from meetings for every meeting. The amount will be equal to the mileage allowance of state elected officials. Also, allows for reimbursement for board approved travel for board business set in accordance with the state travel regulations.
- The new per diem compensation and mileage and travel reimbursement will be effective January 1, 2011.
- Parts of the law related to group life insurance contracts, premiums, group hospital insurance contracts, and alternative means for providing benefits are no longer applicable to school board members beginning January 1, 2011 – school board members are not eligible to be a part of the group insurance plans in place for the district.
- However, the school board member may still get coverage if eligible to receive the coverage and benefits by virtue of being a family member or dependant of a school employee that is otherwise eligible.
- Compensation for school board members may be changed without following certain procedures for first publishing the change – present law requires that these procedures be followed.

House Bill 851 – Powers, Duties, Functions, and Responsibilities

This bill amends and reenacts Louisiana Revised Statutes 17:54(B)(1) and (C) and 81(P) and enacts R.S. 17:81(Q), (R), and (S).

- Requires the favorable vote of at least 2/3 of the school board members to:
 - elect a superintendent;
 - decide not to give the superintendent a new contract at the expiration of each existing contract; or
 - hire or remove the superintendent from office for cause at a regular or special meeting after notice.
- Currently, the law prevents a school board member from acting on his own and using the authority of his office/position to force personnel decisions or force school employees to make any decision regarding benefits, work assignment, or membership in any organization. The current law also allows for the school board to authorize a member to act in such a manner. This portion of the law will no longer be in effect after December 31, 2010.
- The new law will make it malfeasance in office for a school board member to use the authority of his office to interfere with, request, compel, or force any personnel decision, including hiring, promotion, discipline, demotion, transfer, discharge, or assignment of work to any school employee or to do the same in relation to school employee decisions concerning benefits, work assignment, or membership in any organization. This would take effect on January 1, 2011.
- Malfeasance in office is defined in the Louisiana Criminal Code as the “intentional refusal or failure to perform any duty that is required by law or intentionally performing any required duty in an unlawful way.” It is a crime that can only be committed by those serving in public offices. The penalties vary, but recent convictions have ranged from paying a simple fine to five-years at hard labor.
- All authority of school board members to hire teachers and other school system personnel other than the superintendent is delegated to the local superintendent. But, allows boards to retain all authority to prescribe the duties and fix salaries of and hold tenure hearings for all employees of the board. This would take effect on January 1, 2011.
- Members of the school board may request (in writing or in open or executive session) the status of any personnel matter. However, if the board member has knowledge of the possible/alleged commission of a crime by the employee, the requirement of request in writing or in open or executive session does not apply.