

# POLICYALERT



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Forethought Consulting, Inc.

## POLICY UPDATE: 2015

### WRAPPING UP THE YEAR

Our gift to you is the last **POLICYALERT** of 2015, to wrap up policy revisions based on legislative changes, with one additional policy changed to reflect updated language in Bulletin 741, *Louisiana Handbook for School Administrators* regarding earning of Carnegie credits.

#### SCHOOL BOARD ETHICS

The *School Board Ethics* policy now reflects changes to La. Rev. Stat. Ann. §42:1119 by Act 449 affecting allowed exceptions to nepotism. The first is in regards to the hiring of a family member as a classroom teacher. Previously the statute only allowed those persons who were certified to teach, but has now been expanded to allow family members to be hired if they are *temporarily authorized to teach while pursuing certification*. The second change removes the parish population requirement of 26,000 or less from the exception allowing family members of a School Board member or Superintendent to be promoted to an administrative position, as long as the person meets the qualifications and certifications for the position. The School Board member shall recuse himself from the action, and the Superintendent must disqualify himself from promotion or assignment decisions about the employee. These changes took effect on August 1, 2015.

In addition to these changes, we are adding a section now required by federal regulation 2 CFR 200.318 (*General Procurement Standards*) addressing conflict of interest by officials and employees in relation to contracts involving federal funds. The guidelines require that this information be included in School

#### Policies In This Issue:

- School Board Ethics
- Hazardous Substances
- Employment of Retired Personnel
- Textbook Selection and Adoption
- Instructional Materials
- Home Study Program
- Academic Achievement

Board policy.

Many systems' policies have also been revised to include a paragraph requiring annual ethics training, which is already included in policy *School Board Member Continuing Education*, but which we feel is appropriate for inclusion in this policy as well.

## HAZARDOUS SUBSTANCES

Act 311, effective August 1, 2015, made a change to La. Rev. Stat. Ann. §§3:3382, 3:3383, and 3:3386 to require a *single, comprehensive integrated pest management plan for all schools* under a School Board's jurisdiction, instead of the multiple reports (one for each school) that were being generated previously, and added pre-kindergarten to the language as well. The *Hazardous Substances* policy has been revised to reflect these two changes.

## EMPLOYMENT OF RETIRED PERSONNEL

Act 149, amending La. Rev. Stat. Ann. §11:710, changes the definitions affecting the hiring of retired employees, both those considered as *retired teachers*, and other *retired members* as well. New subcategories for retired teachers include *reemployment-eligible critical shortage position or critical shortage positions*, and *reemployment-eligible positions*. The definition of *classroom teacher* includes new language which specifies that proctoring shall not be considered a subject area for a critical shortage. The policy *Employment of Retired Personnel* includes the new language and required some reorganization of the information as well.

The provisions of this Act became effective on June 30, 2015.

## TEXTBOOK SELECTION AND ADOPTION INSTRUCTIONAL MATERIALS HOME STUDY PROGRAM

Act 389 revised several statutes relative to selection and adoption of textbooks and other instructional materials, and prompted revision to several policies in the process. The previous statutes, La. Rev. Stat. Ann. §§17:351 and 17:352, were repealed by the Act, and replaced by La. Rev. Stat. Ann. §17:351.1, which became effective July 1, 2015. The Act is somewhat detailed, requiring procedures which will be based on guidelines from the Louisiana Department of Education (LDOE), drafts of which are being prepared. As we feel those procedures should be

handled administratively, the policy *Textbook Selection and Adoption* has been revised to include basic language reflecting the Superintendent's and School Board's role in textbook adoption, and the use of committees to review textbooks and materials not included on the list of reviewed textbooks prepared by the LDOE. Any procedures included in policy currently have been removed, as they should be revised based on the LDOE guidelines, and then maintained as *administrative procedures*. For those systems which address selection of materials in the policy *Instructional Materials*, that policy has been revised to remove that language.

Interestingly, the Act simply provides that the School Board shall adopt a policy for the selection and use of textbooks and other materials of instruction. It does not specifically state who **actually** makes the selection. As a result, the policy could state, for instance, that the Superintendent, as the *instructional leader* of the school district, shall have **final** authority for selection of qualified textbooks. On the other hand, the policy may stipulate that the School Board shall be responsible for final selection. Or, the School Board may establish, through policy, some other method for selection of qualified textbooks to be used in the school district. This obviously is a matter for discussion by the School Board.

The LDOE is also refining guidance for use of School Board textbooks and other instructional materials by students in state-approved home study programs. The *Home Study Program* policy has been revised to reflect statutory changes which now require the School Board to provide these materials to such students when they are available. In accordance with LDOE regulations, textbooks are to be returned upon completion of the coursework, or the required deposit may be forfeited. Additional revisions to this policy may be required when the guidelines from the LDOE are finalized.

## ACADEMIC ACHIEVEMENT

The last policy revised was not in response to legislation, but is a change updating the language outlining required instructional time for awarding Carnegie credit to reflect that found in Bulletin 741, *Louisiana Handbook for School Administrators*.

*Merry Christmas!*  
from Santa's little helpers here at  
Forethought Consulting, Inc.

