

DATE

Kaelysia Cooper
12783 Lockhaven Avenue
Baton Rouge, Louisiana 70815-6544

Re: **Louisiana Board of Ethics**
Docket No. 2020-706

Dear Ms. Cooper,

The Louisiana Board of Ethics, at its meeting on November 6, 2020, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit you from providing private professional coaching services.

FACTS PROVIDED

You are employed as a Talent Development Consultant Specialist in the Talent Development Department of the Louisiana State Civil Service. Your duties include consulting with other state agencies to analyze performance gaps, facilitate training, manage leadership programs, and to offer workplace planning.

You have decided to start your own professional coaching business for executives and professionals. Your professional coaching services would not be related in any way to your public duties. You do not intend to compete or provide services to the State of Louisiana. You would conduct your business services outside of your current work schedule.

LAW

La. R.S. 42:1111C(1)(a): No public servant shall receive anything of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated.

La. R.S. 42:1111C(2)(d): No public servant shall receive anything of economic value for, or in consideration of services rendered, or to be rendered, to or for any person: (1) who has, or is seeking to obtain, a contractual, business, or financial relationship with the public servant's agency; (2) who conducts operations or activities which are regulated by the public employee's agency; or (3) who has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

La. R.S. 42:1111E(1): No public servant, and no legal entity of which such public servant is an officer, director, trustee, partner, or employee, or in which such public servant has a substantial economic interest, shall receive or agree to receive any thing of economic value for assisting a person in a transaction, or in an appearance in connection with a transaction, with the agency of such public servant.

CONCLUSION

The Board concluded, and instructed me to inform you, that, generally, your request presents no issues under the Code.

However, the Board cautioned that Section 1111C(2)(d) will prohibit you from receiving compensation for providing services to any person who would be considered a prohibited source. An information sheet regarding prohibited sources is enclosed. Additionally, Section 1111E(1) will prohibit you from providing services to assist any person in a transaction involving your agency, the Talent Development Department within the State Civil Service. Finally, Section 1111C(1)(a) will prohibit you from utilizing state-developed resources or programs in providing services to a third party. If you have any concerns regarding a potential client, the Board advises you to submit an additional advisory opinion request.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

David M. Bordelon
For the Board