



State Police Commission

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John Bel Edwards
Governor

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General Circular No. 234

Date: November 29, 2023

Subject: Proposed Amendments to Chapters 1, 2, 7, 8, 13, and 14 of the State Police Commission Rules.

Pursuant to the provisions of State Police Commission Rule 2.10(a), the State Police Commission will hold a public hearing on December 14, 2023, to consider proposed amendments to Chapters 1, 2, 7, 8, 13, and 14 of the State Police Commission Rules. The hearing will begin at 9:00 A.M. in the Veterans' Memorial Auditorium, 5825 Florida Blvd., Baton Rouge, LA, 70806.

Summary of Proposal - SPC Chapter 1

Please refer to the charts that follow for a comparison between the current and proposed rule language. Proposed additions appear in **blue** and omissions appear in **red**.

The proposed revisions of definitions in Chapter 1 correlate with previously adopted changes to other State Police Commission Rules.

Current Rule	Proposed Rule
CHAPTER 1	
DEFINITIONS: Certifiable Scores - a range of scores on a selection procedure which would likely be in the top five grade groups on a certificate of eligibles if one were issued.	DEFINITIONS: Certifiable Scores - a range of scores on a selection procedure which would likely be in the top five seven grade groups on a certificate of eligibles if one were issued.

Current Rule	Proposed Rule
<p>Certificate of Eligibles - a list that represents the top five grade groups or rank groups from a promotional examination.</p> <p>Discrimination - consideration in the appointment, removal, discipline or any other action which adversely affects a probationary or permanent employee and is based on any non-merit factor relating to the employee's religious or political beliefs, gender or race.</p> <p>Unacceptable Rating - a performance appraisal rating of either "Needs Improvement" or "Unsatisfactory".</p>	<p>Certificate of Eligibles - a list that represents the top five seven grade groups or rank groups from a promotional examination.</p> <p>Discrimination - consideration in the appointment, removal, discipline or any other action which adversely affects a probationary or permanent employee and is based on any non-merit factor relating to the employee's religious or political beliefs, gender sex, or race.</p> <p>Unacceptable Rating - a performance appraisal rating of either "Needs Improvement" or "Unsatisfactory" "Unsuccessful".</p>

Summary of Proposal - SPC Chapter 2

Please refer to the charts that follow for a comparison between the current and proposed rule language. Proposed additions appear in **blue** and omissions appear in **red**.

The proposed revision of Rules 2.4 and 2.5 aligns with the unanimous vote requirements within Louisiana Open Meeting Law.

Current Rule	Proposed Rule
CHAPTER 2	
<p>2.4 Meetings Open to the Public</p> <p>a) All meetings and hearings of the Commission shall be open to the public except executive meetings.</p> <p>b) The Commission may hold an executive meeting upon affirmative vote of two-thirds of its constituent members present, taken at an open meeting for which notice has</p>	<p>2.4 Meetings Open to the Public</p> <p>a) All meetings and hearings of the Commission shall be open to the public except executive meetings.</p> <p>b) The Commission may hold an executive meeting upon an affirmative unanimous vote of two-thirds-of its constituent members present, taken at an open meeting for which notice</p>

Current Rule	Proposed Rule
<p>been given pursuant to Rule 2.5. No final or binding action shall be taken during an executive meeting except as provided herein.</p> <p>c) The Commission may hold an executive meeting for one or more of the following reasons:</p> <ol style="list-style-type: none"> 1. Discussion of the character, professional competence, or physical or mental health of a person, provided that such person may require that such discussion be held at an open meeting. 2. Strategy sessions or negotiations with respect to collective bargaining, prospective litigation after formal written demand, or litigation when an open meeting would have a detrimental effect on the bargaining or litigation position of the Commission. 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 	<p>has been given pursuant to Rule 2.5. No final or binding action shall be taken during an executive meeting except as provided herein.</p> <p>c) The Commission may hold an executive meeting for one or more of the following reasons:</p> <ol style="list-style-type: none"> 1. Discussion of the character, professional competence, or physical or mental health of a person, provided that such person may require that such discussion be held at an open meeting. 2. Strategy sessions or negotiations with respect to collective bargaining, prospective litigation after formal written demand, or litigation when an open meeting would have a detrimental effect on the bargaining or litigation position of the Commission. 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

Current Rule	Proposed Rule
<p>epidemic, civil disturbances or other matters of similar magnitude.</p> <p>6. Discussion of any matter deemed confidential by these Rules, or State or Federal Law or Regulation.</p> <p>7. Consideration and discussion of the merits of any appeal filed pursuant to these Rules. Final and binding action may be taken during an executive meeting held to discuss and decide such an appeal.</p>	<p>epidemic, civil disturbances or other matters of similar magnitude.</p> <p>6. Discussion of any matter deemed confidential by these Rules, or State or Federal Law or Regulation.</p> <p>7. Consideration and discussion of the merits of any appeal filed pursuant to these Rules. Final and binding action may be taken during an executive meeting held to discuss and decide such an appeal.</p>
<p>2.5 Notice of Meetings</p> <p>a) The Commission shall give written public notice of any regular, special, or rescheduled meeting no later than 24 hours before that meeting. Such notice shall include the agenda, date, time, and place of the meeting, provided that upon the approval of two-thirds of the members present at a meeting of the Commission, the Commission may take up a matter not on the agenda. In cases of extraordinary emergency, such notice shall not be required; however, the Commission shall give such notice of the meeting as it</p>	<p>2.5 Notice of Meetings</p> <p>a) The Commission shall give written public notice of any regular, special, or rescheduled meeting no later than 24 hours before that meeting. Such notice shall include the agenda, date, time, and place of the meeting, provided that upon the unanimous approval of two-thirds of the members present at a meeting of the Commission, the Commission may take up a matter not on the agenda. In cases of extraordinary emergency, such notice shall not be required; however, the Commission shall give such notice of the</p>

Current Rule	Proposed Rule
<p>deems appropriate and circumstances permit.</p> <p>b) Written public notice shall include:</p> <ol style="list-style-type: none"> 1. Posting a copy of the notice at the office of the director no less than twenty-four (24) hours before the meeting. 2. Sending a copy of the notice to any member of the news media who requests notice of meetings of the Commission. 	<p>meeting as it deems appropriate and circumstances permit.</p> <p>b) Written public notice shall include:</p> <ol style="list-style-type: none"> 1. Posting a copy of the notice at the office of the director no less than twenty-four (24) hours before the meeting. 2. Sending a copy of the notice to any member of the news media who requests notice of meetings of the Commission.

Summary of Proposal - SPC Chapter 7

Please refer to the charts that follow for a comparison between the current and proposed rule language. Proposed additions appear in **blue** and omissions appear in **red**.

Revisions to State Police Commission Rules 7.9 and 7.20 would remove non-competitive promotions. Promotions in the classified State Police Service are competitive.

Current Rule	Proposed Rule
CHAPTER 7	
<p>7.9 Promotional Examinations</p> <p>a) The Director may conduct a competitive promotional examination for any vacant or prospectively vacant position, provided</p> <ol style="list-style-type: none"> 1. The Director shall issue an appropriate 	<p>7.9 Promotional Examinations</p> <p>a) The Director may conduct a competitive promotional examination for any vacant or prospectively vacant position, provided</p> <ol style="list-style-type: none"> 1. The Director shall issue an appropriate

Current Rule	Proposed Rule
<p>announcement in advance of such examination and it shall be the duty of the Appointing Authority to make every effort to see that employees are informed of the announcement;</p> <p>2.</p> <p>a) Admission to such examination shall be restricted to permanent employees who meet the qualifications stated in the class specifications for the position for which the promotional examination is announced. An employee currently rated unacceptable (i.e., "needs improvement" or "unsatisfactory") shall not be admitted to any competitive test.</p> <p>b) Repealed by the State Civil Service Commission effective March 15, 1973.</p> <p>c) Whenever minimum qualification requirements are changed and</p>	<p>announcement in advance of such examination and it shall be the duty of the Appointing Authority to make every effort to see that employees are informed of the announcement;</p> <p>2.</p> <p>a) Admission to such examination shall be restricted to permanent employees who meet the qualifications stated in the class specifications for the position for which the promotional examination is announced. An employee currently rated unacceptable (i.e., "needs improvement" or "unsatisfactory" "unsuccessful") shall not be admitted to any competitive test.</p> <p>b) Repealed by the State Civil Service Commission effective March 15, 1973.</p> <p>c) Whenever minimum qualification requirements are changed and</p>

Current Rule	Proposed Rule
<p>incumbents of positions in affected classes do not meet the new requirements, such incumbents will be allowed to remain in the class of position occupied, unless a specific license or certification is required by law, and to continue gaining qualifying experience for the higher levels that are in the normal career progression for that class.</p> <p>d) Repealed, effective January 28, 1992, and partially incorporated in 7.9(a)2c.</p> <p>3. Repealed, effective January 28, 1992, and incorporated in Rule 7.7(a).</p> <p>4. The eligible list established from such examination shall contain the names of all candidates who pass the examination, ranked according to their final ratings.</p> <p>5. In assigning a rating based on training and experience, credit shall</p>	<p>incumbents of positions in affected classes do not meet the new requirements, such incumbents will be allowed to remain in the class of position occupied, unless a specific license or certification is required by law, and to continue gaining qualifying experience for the higher levels that are in the normal career progression for that class.</p> <p>d) Repealed, effective January 28, 1992, and partially incorporated in 7.9(a)2c.</p> <p>3. Repealed, effective January 28, 1992, and incorporated in Rule 7.7(a).</p> <p>4. The eligible list established from such examination shall contain the names of all candidates who pass the examination, ranked according to their final ratings.</p> <p>5. In assigning a rating based on training and experience, credit shall</p>

Current Rule	Proposed Rule
<p>not be allowed for periods of leave of thirty days or more absence without pay granted under the provisions of Rule 11.27(a) and (b), unless the work performed during the period of absence is creditable under the examination specifications.</p> <p>b) Non-competitive promotions may be made to non-competitive classes only in accordance with the provisions of Rule 7.20.</p> <p>c) The Director may indicate the principal or normal line of promotion from and to each class of position.</p> <p>d) Upon receipt by the Director of a request to fill a promotional vacancy, the Director shall admit to examination and consider for certification all qualified applicants whose applications are then on file with the Director for the vacancy being filled; provided that the Director may restrict the number of times that an applicant may be admitted to the same examination within a twelve month period.</p> <p>e) Repealed, effective January 28, 1992</p>	<p>not be allowed for periods of leave of thirty days or more absence without pay granted under the provisions of Rule 11.27(a) and (b), unless the work performed during the period of absence is creditable under the examination specifications.</p> <p>b) Non-competitive promotions may be made to non-competitive classes only in accordance with the provisions of Rule 7.20.</p> <p>c) The Director may indicate the principal or normal line of promotion from and to each class of position.</p> <p>d) Upon receipt by the Director of a request to fill a promotional vacancy, the Director shall admit to examination and consider for certification all qualified applicants whose applications are then on file with the Director for the vacancy being filled; provided that the Director may restrict the number of times that an applicant may be admitted to the same examination within a twelve month period.</p> <p>e) Repealed, effective January 28, 1992</p>

Current Rule	Proposed Rule
<p>7.20 Noncompetitive Classes</p> <p>a) Repealed, effective January 28, 1992.</p> <p>b) Repealed by the State Civil Service Commission effective January 1, 1975.</p> <p>c) Repealed, effective January 28, 1992.</p> <p>d) Repealed, effective January 28, 1992.</p> <p>e) When testing for a class is impractical because of situations that require considerable education in a formal body of knowledge and professional testing prior to legal licensing and practice of a profession, the Director may, with approval of the Commission, dispense with competitive examining procedures for those classes.</p>	<p>7.20 Noncompetitive Classes</p> <p>a) Repealed, effective January 28, 1992.</p> <p>b) Repealed by the State Civil Service Commission effective January 1, 1975.</p> <p>c) Repealed, effective January 28, 1992.</p> <p>d) Repealed, effective January 28, 1992.</p> <p>e) When testing for a class is impractical because of situations that require considerable education in a formal body of knowledge and professional testing prior to legal licensing and practice of a profession, the Director may, with approval of the Commission, dispense with competitive examining procedures for those classes.</p>

Summary of Proposal - SPC Chapter 8

Please refer to the charts that follow for a comparison between the current and proposed rule language. Proposed additions appear in **blue** and omissions appear in **red**.

The purpose of amending State Police Commission Rule 8.13 is to remove the option of the declaration of a non-competitive promotion by the Director. Promotions in the classified State Police Service are competitive.

Current Rule	Proposed Rule
CHAPTER 8	
8.13 Promotion	8.13 Promotion

Current Rule	Proposed Rule
<p>a) Subject to the provisions of Rules 8.7, each promotion shall be made by appointing one of the eligibles within the seven highest final grade groups on a promotional certificate issued by the Director following competitive examination. If there are seven (7) or fewer qualified applicants for a vacancy, the Director may declare a noncompetitive situation and forego testing for that vacancy. In such case, the applicants shall be rated "Eligible."</p> <p>b) The Director shall issue a promotional certificate from a register of eligibles established following a competitive promotional examination. Candidates shall be certified in grade order.</p> <p>c) The Director shall not include in any promotional certification, nor authorize the non-competitive promotion, of the name of an employee having a current unacceptable service rating (i.e., "needs improvement" or "unsuccessful").</p>	<p>a) Subject to the provisions of Rules 8.7, each promotion shall be made by appointing one of the eligibles within the seven highest final grade groups on a promotional certificate issued by the Director following competitive examination. If there are seven (7) or fewer qualified applicants for a vacancy, the Director may declare a noncompetitive situation and forego testing for that vacancy. In such case, the applicants shall be rated "Eligible."</p> <p>b) The Director shall issue a promotional certificate from a register of eligibles established following a competitive promotional examination. Candidates shall be certified in grade order.</p> <p>c) The Director shall not include in any promotional certification, nor authorize the non-competitive promotion, of the name of an employee having a current unacceptable service rating (i.e., "needs improvement" or "unsuccessful").</p>

Summary of Proposal – SPC Chapter 13

Please refer to the charts that follow for a comparison between the current and proposed rule language. Proposed additions appear in **blue** and omissions appear in **red**.

The proposed amendment of State Police Commission Rule 13.1 complies with Article X, Part IV, Section 46 of the Louisiana Constitution wherein a classified state police officer may only appeal on the basis of discrimination "because of his political or religious beliefs, sex, or race."

Current Rule	Proposed Rule
CHAPTER 13	
<p>13.1 Appeals to the Commission</p> <p>An appeal may be made to this Commission by:</p> <ul style="list-style-type: none"> a) Any person in the Classified State Police Service who is alleged to have been discriminated against or subjected to any disciplinary action because of his/her political or religious beliefs, sex, or race. b) Any person in the Classified State Police Service who, having gained permanent status, is alleged to have been subjected to any disciplinary action or removal in violation of any provision of Chapter 12 of these Rules. c) Any person in the Classified State Police Service who is alleged to have been adversely affected by the violation of any provision of the State Police Commission Article or of any State Police Commission Rule other than a rule in Chapter 10. 	<p>13.1 Appeals to the Commission</p> <p>An appeal may be made to this Commission by:</p> <ul style="list-style-type: none"> a) Any person in the Classified State Police Service who is alleged to have been discriminated against or subjected to any disciplinary action because of his/her political or religious beliefs, sex, or race. b) Any person in the Classified State Police Service who, having gained permanent status, is alleged to have been subjected to any disciplinary action or removal in violation of any provision of Chapter 12 of these Rules. c) Any person in the Classified State Police Service who is alleged to have been adversely affected by the violation of any provision of the State Police Commission Article or of any State Police Commission Rule other than a rule in Chapter 10.

Current Rule	Proposed Rule
d) REPEALED - EFFECTIVE JANUARY 10, 2019	d) REPEALED - EFFECTIVE JANUARY 10, 2019
e) REPEALED - EFFECTIVE JANUARY 10, 2019	e) REPEALED - EFFECTIVE JANUARY 10, 2019
f) REPEALED - EFFECTIVE JANUARY 10, 2019	f) REPEALED - EFFECTIVE JANUARY 10, 2019
g) REPEALED - EFFECTIVE JANUARY 10, 2019	g) REPEALED - EFFECTIVE JANUARY 10, 2019
h) REPEALED - EFFECTIVE JANUARY 10, 2019	h) REPEALED - EFFECTIVE JANUARY 10, 2019
i) REPEALED - EFFECTIVE JANUARY 10, 2019	i) REPEALED - EFFECTIVE JANUARY 10, 2019
j) REPEALED - EFFECTIVE JANUARY 10, 2019	j) REPEALED - EFFECTIVE JANUARY 10, 2019
k) REPEALED - EFFECTIVE JANUARY 10, 2019	k) REPEALED - EFFECTIVE JANUARY 10, 2019
l) Any applicant for employment in the Classified Service and any employee in the Classified Service who alleges that he has been discriminated against because of his membership or nonmembership in any private organization.	l) Any applicant for employment in the Classified Service and any employee in the Classified Service who alleges that he has been discriminated against because of his membership or nonmembership in any private organization.
m) REPEALED - EFFECTIVE JANUARY 10, 2019	m) REPEALED - EFFECTIVE JANUARY 10, 2019

Summary of Proposal - SPC Chapter 14

Please refer to the charts that follow for a comparison between the current and proposed rule language. Proposed additions appear in **blue** and omissions appear in **red**.

The proposed amendment of State Police Commission Rule 14.3(b) complies with Article X, Part IV, Section 46 of the Louisiana Constitution wherein a classified state police officer may only appeal on the basis of discrimination "because of his political or religious beliefs, sex, or race."

Current Rule	Proposed Rule
CHAPTER 14	
<p>14.3 Other Prohibited Activity</p> <p>a) Discrimination, as defined in Rule 1.14.1, is prohibited.</p> <p>b) No person shall be appointed or promoted to or demoted or dismissed from any position in the classified State Police Service, or in any way favored or discriminated against with respect to employment, because of his or her political or religious opinions or affiliations, race, sex, or membership or non-membership in any private organization.</p> <p>c) No person shall, directly or indirectly, give, render, pay, offer, solicit or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to or any advantage in a position in the classified State Police Service.</p> <p>d) No appointing authority, agent, or deputy thereof, or supervisor of any employee shall, directly or indirectly, discipline, influence, coerce or take any other action against any employee in the classified State Police Service for the purpose of influencing his vote, support or</p>	<p>14.3 Other Prohibited Activity</p> <p>a) Discrimination, as defined in Rule 1.14.1 Chapter 1, is prohibited.</p> <p>b) No person shall be appointed or promoted to or demoted or dismissed from any position in the classified State Police Service, or in any way favored or discriminated against with respect to employment, because of his or her political or religious opinions or affiliations, race, sex, or membership or non-membership in any private organization the employee's political or religious beliefs, sex, or race.</p> <p>c) No person shall, directly or indirectly, give, render, pay, offer, solicit or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to or any advantage in a position in the classified State Police Service.</p> <p>d) No appointing authority, agent, or deputy thereof, or supervisor of any employee shall, directly or indirectly, discipline, influence, coerce or take any other action against any employee in the classified State Police Service for the purpose of influencing his vote, support or</p>

Current Rule	Proposed Rule
<p>other political activity in any general or primary election.</p> <p>e) No person elected to public office shall, while serving in such elective office, be appointed to or hold any position in the classified State Police Service.</p> <p>f) No person shall be appointed, promoted, transferred or in any way employed in or to any position in the classified State Police Service under any class title which has not been approved by the Director as appropriate to the duties to be performed.</p> <p>g) No classified member of the State Police shall be appointed, promoted, transferred or in any way employed in or to any position which is not within the State Police Service.</p> <p>h) No payment for personal services of any classified member of the shall be made until the Director has approved the appointment.</p> <p>i) No person shall make any false statement, certificate, mark, rating, form or report with regard to any application, test, certification, personnel transaction, appointment or employment made under any provision of the Article or Rules of the State Police Commission, or in any manner commit or attempt to commit any fraud preventing the impartial execution of the Article or Rules.</p>	<p>other political activity in any general or primary election.</p> <p>e) No person elected to public office shall, while serving in such elective office, be appointed to or hold any position in the classified State Police Service.</p> <p>f) No person shall be appointed, promoted, transferred or in any way employed in or to any position in the classified State Police Service under any class title which has not been approved by the Director as appropriate to the duties to be performed.</p> <p>g) No classified member of the State Police shall be appointed, promoted, transferred or in any way employed in or to any position which is not within the State Police Service.</p> <p>h) No payment for personal services of any classified member of the shall be made until the Director has approved the appointment.</p> <p>i) No person shall make any false statement, certificate, mark, rating, form or report with regard to any application, test, certification, personnel transaction, appointment or employment made under any provision of the Article or Rules of the State Police Commission, or in any manner commit or attempt to commit any fraud preventing the impartial execution of the Article or Rules.</p>

Current Rule	Proposed Rule
<p>j) No person or appointing authority shall, directly or indirectly, persuade, induce or coerce or attempt to persuade, induce or coerce any prospective applicant or eligible to withhold filing an application or to withdraw from competition or eligibility for positions in the classified State Police Service for the purpose of either improving or diminishing the prospects for appointment of any applicant or eligible or prospective applicant or eligible. In addition to other penalties which may be imposed by the Commission, the Director shall cancel any and all applications or eligibilities of any person who violates the provisions of subsection (j) (above).</p> <p>k) No action shall be taken or authorized to be taken by any person without approval of the Commission or the Director, when such approval is required by the Article or the Rules.</p> <p>l) Unless otherwise stayed by the Commission, a court of proper jurisdiction or the provisions of the Article, Rules, laws or constitution, no person shall fail to comply with any order or directive of the Commission.</p>	<p>j) No person or appointing authority shall, directly or indirectly, persuade, induce or coerce or attempt to persuade, induce or coerce any prospective applicant or eligible to withhold filing an application or to withdraw from competition or eligibility for positions in the classified State Police Service for the purpose of either improving or diminishing the prospects for appointment of any applicant or eligible or prospective applicant or eligible. In addition to other penalties which may be imposed by the Commission, the Director shall cancel any and all applications or eligibilities of any person who violates the provisions of subsection (j) (above).</p> <p>k) No action shall be taken or authorized to be taken by any person without approval of the Commission or the Director, when such approval is required by the Article or the Rules.</p> <p>l) Unless otherwise stayed by the Commission, a court of proper jurisdiction or the provisions of the Article, Rules, laws or constitution, no person shall fail to comply with any order or directive of the Commission.</p>

Questions pertaining to information in this General Circular should be addressed to my attention at Jason.Hannaman@La.gov or via telephone at (225) 925-7057.

s/Jason Hannaman, PHR, SHRM-CP
Executive Director