

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

LOUISIANA BOARD OF ETHICS

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DOCKET NO.

IN THE MATTER OF

AGENCY TRACKING NO. 2013-1258A

DORIS HICKS

CHARGES

The Louisiana Board of Ethics voted on October 16, 2014 to and does hereby file the following charge:

I.

The Friends of King School, Inc. was incorporated as a not-for-profit public benefit corporation on March 14, 2006.

II.

On May 10, 2007, Friends of King School, Inc. entered into a contract with the Louisiana Board of Elementary and Secondary Education for the purpose of operating the Dr. Martin Luther King, Jr. Charter School for Science and Technology.

III.

On July 1, 2012, Friends of King School, Inc. entered into a contract with the Louisiana Board of Elementary and Secondary Education for the purpose of operating the Joseph A. Craig Elementary Charter School.

IV.

On September 6, 2006, Doris Hicks was hired as the Principal of the Dr. Martin Luther King, Jr. Charter School For Science and Technology.

V.

On August 8, 2008, Doris Hicks began serving as the Chief Executive Officer of the Friends of King School, Inc. and continued to serve as the Principal of the Dr. Martin Luther King, Jr. Charter School For Science and Technology.

VI.

Between August 2, 2010 through the 2013-2014 school year, Doris Hicks earned \$540,768.16 for her service as Chief Executive Officer of the Friends of King School, Inc. and Principal of the Dr. Martin Luther King, Jr. Charter School For Science and Technology.

VII.

Iris Ponson is the biological sister of Doris Hicks.

VIII.

Monique Cook is the biological daughter of Doris Hicks.

IX.

Darrin Cook is married to Monique Cook and he is the son-in-law of Doris Hicks.

X.

On August 1, 2012, Monique Cook entered into a three (3) month consulting contract with Friends of King School, Inc. to provide consulting services in the field of special education at the Joseph A. Craig Elementary Charter School.

XI.

Monique Cook submitted to the Friends of King School, Inc. invoices totaling \$17,842.50 and received payment in the amount of \$17,842.50 from the Friends of King School, Inc.

XII.

All checks issued to Monique Cook for payment for her consulting services were signed by Doris Hicks, her mother, and by Lindsey Moore, a principal at Dr. Martin Luther King, Jr. Charter School for Science and Technology, the high school section.

XIII.

On September 12, 2006, Darrin Cook was hired as the head custodian at the Dr. Martin Luther King, Jr. School for Science and Technology.

XIV.

Between the 2010-2011 school year and the 2013-2014 school year, Darrin Cook received \$182,530.44 from the Friends of King School, Inc. for his employment as head custodian.

XV.

On September 22, 2006, Iris Ponson was hired by the Friends of King School, Inc. as a hall monitor.

XVI.

Between the 2010-2011 school year and the 2013-2014 school year, Iris Ponson received \$86,093.16 from the Friends of King School, Inc. for her employment as hall monitor.

XVII.

La. R.S. 42:1119 provides with respect to nepotism:

A. No member of the immediate family of an agency head shall be employed in his agency.

B.(1) No member of the immediate family of a member of a governing authority or the chief executive of a governmental entity shall be employed by the governmental entity.

La. R.S. 42:1102 provides the following definitions:

(3) "Agency head" means the chief executive officer or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.

(13) "Immediate family" as the term relates to a public servant means his children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

La. R.S. 42:1113A provides with respect to prohibited transactions:

A.(1)(a) No public servant ... or member of such public servant's immediate family, or legal entity in which he has a controlling interest shall bid on or enter into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of such public servant.

La. R.S. 42:1112 provides with respect to participation in certain transactions:

B. No public servant ... shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any of the following persons has a substantial economic interest:

(1) Any member of his immediate family.

XVIII.

La. R.S. 42:1153 provides with respect to penalties:

- B. Upon finding that any public employee or other person has violated any provision of any law within the jurisdiction of the board . . . , the board by a majority vote of the membership, may remove, suspend, or order a reduction in pay, or demotion of the public employee or other person, or impose a fine of not more than ten thousand dollars, or both.

La. R.S. 42:1155 provides with respect to penalties:

- A. If an investigation pursuant to R.S. 42:1141 reveals that any public servant or other person has violated any law within the jurisdiction of the board to his economic advantage, the board may order the payment of penalties. Recovery may include, in addition to an amount equal to such economic advantage, penalties not to exceed one half of the amount of the economic advantage. . .

XIX.

Based on the foregoing facts, Doris Hicks, while she served as the Chief Executive Officer of the Friends of King School, Inc. and the Principal of the Dr. Martin Luther King, Jr. School of Science and Technology, violated La. R.S. 42:1119 by virtue of the employment of her sister, Iris Ponson, and her son-in-law, Darrin Cook, with the Friends of King School, Inc.

XX.

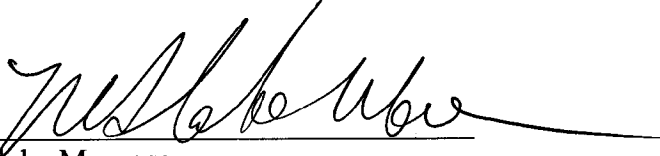
Based on the foregoing facts, Doris Hicks, in her capacity as the Chief Executive Officer of the Friends of King School, Inc., violated La. R.S. 42:1112 by signing the checks paying her daughter, Monique Cook, \$17,842.50 pursuant to her consulting contract with the Friends of King School, Inc.

XXI.

In accordance with La. R.S. 42:1141C (3)(b)(iv), the Board designates Tracy M. Barker and Mike D. Dupree as the Board's trial attorneys in this matter.

WHEREFORE, the Louisiana Board of Ethics requests that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charges; (b) determine that Doris Hicks has violated La. R.S. 42:1119 and La. R.S. 42:1112B(1) with respect to the foregoing counts; and (c) assess an appropriate penalty in accordance with the recommendation of the Louisiana Board of Ethics to be submitted at the hearing.

[SIGNATURE AND CERTIFICATE OF SERVICE ON FOLLOWING PAGE]



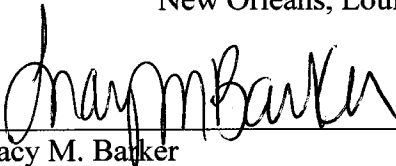
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CERTIFICATE:

I hereby certify that a copy of this document has been forwarded to the Respondents by registered/certified mail in accordance with La. R.S. 42:1141E(1)(a), on this 17th day of October, 2014.

Ms. Doris Hicks
11438 Prentiss Avenue
New Orleans, Louisiana 70128

Attorney: Ms. Tracie L. Washington
Attorney at Law
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New Orleans, Louisiana 70117



Tracy M. Barker
Trial Attorney