

JEFFERSON DAVIS PARISH SCHOOL BOARD
OCTOBER 17, 2019

The Jefferson Davis Parish School Board met in regular session at 203 E. Plaquemine Street, Jennings, LA 70546, on Thursday, October 17, 2019 at 6:00 p.m., with the following School Board members in attendance: President, Phillip Arceneaux, Members, Greg Bordelon, Charles Bruchhaus, Donald Dees, Malon Dobson, David Doise, Denise Perry, Jody Singletary and James Segura. Absent: Vice-President, David Troutman, Jason Bouley, David Capdeville and Terry Leger.

The meeting was opened by President, Phillip Arceneaux, with an invocation by Miss Jaylee Kate Broussard, a 6th grader at WAR, followed by the Pledge of Allegiance to the U.S. flag led by Miss Annsley “Annie” Reese Broussard, a 2nd grader at WES and Carson John Gay, a Kindergartner at WES, all grandchildren of WHS principal John Gay.

Motion by Mr. Dees, seconded by Mr. Bruchhaus and unanimously carried to approve the School Board minutes of the Regular Meeting on September 19, 2019.

Motion by Mrs. Perry, seconded by Mr. Singletary and unanimously carried that the Board call for a vote to take care of items of business not listed on the original agenda or to change the order of topics to be addressed.

RECOGNITION OR PRESENTATIONS:

Argent Advisors - Performance of the Investment Portfolio for the previous Year.

Motion by Mr. Dees, seconded by Mr. Bruchhaus to approve the recommendation of the Director of Finance to renew the Investment Manager contract of Argent Advisors for another two-year period beginning November 1, 2019 and ending October 31, 2021.

FINANCE COMMITTEE:

The following recommendations were made by Mr. Jody Singletary, Finance Committee Member, that the School Board:

Grant permission to EHS FFA program to accept a \$1,057.55 donation from China Burial Ground Society. Funds to be used to help defray expenses for the school year. Motion seconded by Mr. Bruchhaus and unanimously carried.

Grant permission to JHS Football to accept a \$10,000.00 donation from Jennings Quarterback Club. Funds to be used for program expenses. Motion seconded by Mr. Doise and unanimously carried.

Grant permission to LAE 4th grade teacher, Rachel Simon, to accept a \$2,000.00 General Literacy Foundation Grant written to promote literacy using technology in the classroom. Motion seconded by Mr. Bordelon and unanimously carried.

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Grant permission to LAHS to accept a \$500.00 donation from P.M. Hebert Consulting. Funds to be used for the LAHS football program to help offset expenses. Motion seconded by Mr. Dobson and unanimously carried.

Grant permission to LAHS to accept a \$1,530.00 donation from LAHS PTO. Funds to be used for the LAHS Danceline program to help offset expenses. Motion seconded by Mr. Bordelon and unanimously carried.

Grant permission to LAHS to accept a \$500.00 donation from Lake Arthur Varsity Club. Funds to be used to help offset football expenses. Motion seconded by Mr. Dobson and unanimously carried.

Grant permission to LAHS to accept a \$1,000.00 donation from BJ Feverjean Consulting and a \$1,000.00 donation from Dreamworks Collision Center. Funds will be used for the softball program to purchase team jerseys. Motion seconded by Mr. Bordelon and unanimously carried.

Grant permission to WHS Boys Basketball to accept a \$600.00 donation from Basketball Boosters. Funds to be used to purchase supplies. Motion seconded by Mr. Bruchhaus and unanimously carried.

Grant permission to FES to accept a \$500.00 donation from Dr. Joe Stark. Funds to be used for school supply kits. Motion seconded by Mr. Doise and unanimously carried.

Declare an emergency at JHS to spray entire grounds against Rasberry Crazy Ants (*Nylanderia Fulva*), a destructive breed of ants. Approximate costs of \$4,500.00. To be paid from Ward II Maintenance. Motion seconded by Mr. Dees and unanimously carried.

POLICY COMMITTEE:

The following recommendations were made by Mr. Jody Singletary, Policy Committee Chairman, that the School Board approve the following policies:

1. The following policies are brought to you by Forethought Consulting resulting from the 2019 Louisiana Legislative Session.

A. School and Student Safety: EBBB (Revised September 2019, Effective Upon Approval)

Act 209 of the 2019 Louisiana Legislature, which became effective on August 1, 2019 includes new definitions, and alters the provisions regarding examination of a student who has made a threat. Two new definitions:

- “Student” means any person registered or enrolled at a school.

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- “Threat is credible and imminent” means that the available facts, when viewed in light of surrounding circumstances, would cause a reasonable person to believe that the person communicating the threat actually intends to carry out the threat in the near future or has the apparent ability to carry out the threat in the near future. Previously, if a student was reported to law enforcement for an alleged threat, that student was not allowed to return to school until he/she had a formal mental health evaluation. Now, a law enforcement agency which investigates and determines that a student threat was credible and imminent shall report it to the district attorney, who may file a petition to the appropriate district court no later than seven (7) days after receipt of the report, for the purpose of conducting a medical, psychological, and psychiatric examination. The school shall permit a student who is the subject of a complaint and investigation to return to school if the district attorney does not file the petition for a medical examination, or if at any point prior to a hearing the threat is determined not to be credible after an investigation by the school administration, a law enforcement agency or the district attorney, or by order of the court after a hearing.

B. Threats of Terrorism or Violence: JCDAG- Deletion from 2018 (Effective Upon Approval)

Threats of Terrorism and Violence, was created last year to include some of the provisions of the School and Student Safety Act. Since the topic is well covered in the School and Student Safety policy, and in order to avoid duplicating information in two policies, Forethought recommends that the Threats of Terrorism and Violence policy found in the student section of the policy manual be deleted.

C. Emergency/ Crisis Management: EBBC (Revised September 2019, Effective Upon Approval)

Each school is required by law to have a Crisis Management and Response Plan, which is to be reviewed annually, and revised if necessary. The change to that statute implemented by Act 44, effective June 1, 2019, mandates that the principal of a high school conducting the annual review seek input from the president of the senior class or student council, and at least one other responsible student selected by the principal. This language has been added to the Emergency/ Crisis Management policy.

D. Behavioral Health Services for Students: JGCF (Revised October 2019, Effective Upon Approval)

This policy was adopted last month and after the fact Forethought discovered that they inadvertently omitted inserting “applied behavior

analysis provider” into the definition of *Evaluator*. This is the only change added from the adopted policy approved last month by board.

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Motion seconded by Mr. Dobson and unanimously carried.

The following committees had no reports to present:

Insurance - David Doise, Chairman

Building & Grounds - James Segura, Chairman

Transportation- Greg Bordelon, Chairman

16th Section-Charles Bruchhaus, Chairman

Legislative Liaison - Donald Dees, Chairman

Ward II (Ad Hoc) - Donald Dees, Chairman

Legislative Liaison - Donald Dees, Chairman

Food Service Committee - Malon Dobson, Chairman

The Sales Tax report was given by Mrs. Amber Hymel, Tax Collector.

NEW BUSINESS:

Motion by Mr. Bordelon, seconded by Mr. Dobson and unanimously carried to approve the following non-faculty coaches upon completion of LHSAA coaching course certification and Board policy requirements.

- A. Lexi Hagen, LAHS softball coach.
- B. Christopher Monceaux, LAHS softball coach.

Motion by Mr. Doise, seconded by Mrs. Perry and unanimously carried to grant permission to Tina Coleman, Child Nutrition Supervisor to surplus the following item and send to the next available auction:

- 1. Surplus Milk Cooler, Beverage -Air model SM34N (WHS)

Motion by Mr. Bordelon, seconded by Mr. Segura and unanimously carried to adopt the following ordinance:

ORDINANCE

An ordinance providing for the continued levy within Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana, effective January 1, 2027, of a one-half of one percent (1/2%) sales and use tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and upon the sale of services in said District, levying and providing for the assessment, collection, payment and dedication of the proceeds of said tax and the purpose for which the proceeds of the tax may be expended, such tax having been authorized at a special election held in the District on March 30, 2019.

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WHEREAS, under the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority and elections held on March 30, 2019, the Parish School Board of the Parish of Jefferson Davis, State of Louisiana (the "Governing Authority"), acting as the governing authority of Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana (the "District"), is authorized to levy and collect within the District from and after January 1, 2027, a one-half of one percent (1/2%) sales and use tax (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and upon the sale of services as defined in applicable statutory authority, pursuant to the following proposition which was approved at said election held on March 30, 2019:

PROPOSITION (SALES TAX RENEWAL)

In the event of the passage of School District No. 2 of Jefferson Davis Parish, Louisiana Bond Proposition, shall Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis, State of Louisiana (the "District"), be authorized to continue to levy and collect a tax of one-half of one percent (1/2%) (the "Tax"), for a period of fourteen (14) years from January 1, 2027 (an estimated \$1,430,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in the District, all as defined by law, with the proceeds of the Tax (after paying the expenses of collecting and administering the Tax), to be expended within School District No. 2 of Jefferson Davis Parish, Louisiana ("School District No.2"), to pay a portion of the costs of constructing and improving public school buildings and facilities therein and acquiring land, equipment and furnishings therefor, and/or to pay any bonded indebtedness of the District or School District No. 2?

WHEREAS, in compliance with the aforesaid constitutional and statutory authority and said special election of March 30, 2019, it is the desire of this Governing Authority to provide for the levy and collection of the Tax and to provide for distribution of the proceeds thereof and other matters in connection therewith as hereinafter provided in this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Parish School Board of the Parish of Jefferson Davis, State of Louisiana, acting as the governing authority of Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana (the "District"), thereof, that:

SECTION 1. Imposition. Pursuant to the authority of a special election held in Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana on March 30, 2019, the Tax is hereby levied upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property, and upon the lease or rental of tangible personal property and on the sales of services in the District as defined by law. The Uniform Local Sales Tax Code, as enacted by Act 73 of the 2003 Regular Session of the Louisiana Legislature and as it may be amended, shall apply in the assessment, collection, administration and enforcement of the Tax, the provisions of which are hereby incorporated by reference. The levy and collection of the Tax will be a continuation of the similar sales and use tax previously authorized to be levied by the District.

SECTION 2. Rate of Tax, The Tax is levied at the rate of one-half of one percent (1/2%) of the sales price of each item or article of tangible personal property

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when sold at retail in the District, the Tax to be computed on gross sales for the purpose of remitting the amount of tax due to the District, and to include each and every retail sale. The Tax is levied at the rate of one-half of one percent (1/2%) of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed, or stored for use or consumption in the District, provided there shall be no duplication of the Tax, The Tax is levied at the rate of one-half of one percent (1/2%) of the gross proceeds derived from the lease or rental of tangible personal property, as defined by law, where the lease or rental of such property is an established business, or part of an established business, or the same is incidental or germane to the said business, or of the monthly lease or rental price paid by lessee or rentee, or contracted or agreed to be paid by lessee or rentee to the owner of the tangible personal property. The Tax is levied at the rate of one-half of one percent (1/2%) of the amount paid or charged for taxable services, as defined by law, performed in the District.

SECTION 3. Effective Date, The Tax shall be effective on January 1, 2027.

SECTION 4. Term. The Tax shall remain in effect for fourteen (14) years (January 1, 2027 through December 31, 2040).

SECTION 5. Purposes. The proceeds of the Tax shall be used for the purposes set forth in the proposition approved by the voters in the special election held in the District on March 30, 2019, authorizing the Tax, which proposition is set forth in the preamble hereto.

SECTION 6. Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the Tax levied by this ordinance, each dealer shall be allowed two percent (2%) of the amount of Tax due and accounted for and remitted to the District's collector in the form of a deduction in submitting its report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 7. Exclusions and Exemptions. The Governing Authority adopts none of the optional exclusions or exemptions allowed by State sales and use tax law, nor does this Governing Authority adopt any exclusions or exemptions authorized by legislation enacted under Article VI, Section 29 (D)(1) of the Constitution of the State of Louisiana of 1974, that are not allowed as an exclusion or exemption from State sales and use tax, Included within the base of each Tax is every transaction, whether sales, use, lease or rental, consumption, storage or service, with no exclusions or exemptions except for those mandated upon political subdivisions by the Constitution or statutes of the State of Louisiana, including the Act.

SECTION 8. Interest. The interest on unpaid Taxes provided for by La. R.S. 47:337.69 shall be at the rate of one and one-fourth percent (1-%% per month.

SECTION 9. Delinquency Penalty. The delinquency penalty, as provided by La. R.S. 47:337.70, shall be five percent (5%) per month on the unpaid amount of the Tax due for each thirty-day period, not to exceed five thirty-day periods.

SECTION 10. Penalty for False or Fraudulent Return, Penalty as provided by La. R.S. 47:337.72 shall be fifty percent (50%) of the Tax found to be due,

SECTION 11. Negligence Penalty. The penalty provided by La. R.S. 47:337.73

shall be five percent (5%) of the Tax or deficiency found to be due, or ten dollars (\$10.00), whichever is greater,

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SECTION 12. Penalty for Insufficient Funds Check. The penalty provided in La, R.S. 47:337.74 shall be an amount equal to the greater of one percent (1%) of the check or twenty dollars (\$20.00).

SECTION 13. Attorney Fees. The collector is authorized to employ private counsel to assist in the collection of any taxes, penalties or interest due under this ordinance, or to represent him in any proceeding under this ordinance. If any taxes, penalties or interest due under this ordinance are referred to an attorney at law for collection, an additional charge of attorney fees, in the amount often per centum (10%) of the taxes, penalties and interest due, shall be paid by the tax debtor.

SECTION 14. Penalty for Costs Incurred. As provided by R.S. 47:337.75, and under the circumstances set forth therein, a penalty shall be added to the amount of Tax due in an amount as itemized by the Collector to compensate for all costs incurred in making an examination of books, records or documents, or an audit thereof, or in the holding of hearings or the subpoenaing and compensating of witnesses.

SECTION 15. Distrain Penalty. The penalty as provided by R.S. 47:337.76 in cases where the distraint procedure is used in the collection of the Tax shall be ten dollars (\$10.00).

SECTION 16. Limits on Interest, Penalty and Attorney Fees. Should the interest, penalties or attorney fees herein, or the combined interest, penalties and attorney fees be declared to be in excess of limits provided by other law, including relevant jurisprudence, then the maximum interest, penalties and attorney fees allowed by such other law shall apply.

SECTION 17. Collector. The Tax levied by this ordinance is authorized to be collected by a "Collector" which term shall mean the Jefferson Davis Parish School Board.

SECTION 18. Powers of Collector. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

SECTION 19. Agreement to Collect Tax on Vehicles. With regard to the collection of the Tax on any motor vehicle, automobile, truck, truck-trailer, trailer, semi-trailer, motor bus, home trailer, or any other vehicle subject to the vehicle registration license Tax, this Governing Authority, acting through the President of the Governing Authority and on behalf of the Parish, is authorized to enter into an agreement or agreements with the Vehicle Commissioner, Department of Public Safety and Corrections, for the collection of the Tax on such vehicles, as provided by R.S.47:303(B).

SECTION 20. Revenues of Tax. All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the Tax shall be promptly deposited by the Collector for the respective accounts of the School Board in the special funds heretofore established and maintained for the deposit of such proceeds, which fund is a separate bank account established and maintained with the regularly designated fiscal agent of the School Board, provided, however, any amount which is paid under protest or

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which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

In compliance with the said special election of March 30, 2019, authorizing the Tax, after all reasonable and necessary costs and expenses of collecting and administration of the Tax has been paid as provided for above, the remaining balance in said special fund shall be available for appropriation and expenditures by the Governing Authority solely for the purposes designated in the applicable proposition authorizing the levy of the Tax.

SECTION 21. Severability. If any or more of the provisions of this ordinance shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 22. Uniform Sales Tax Controlling. If any provision of this ordinance shall be in conflict with the provisions of the Uniform Local Sales Tax Code, the provisions of the Uniform Local Sales Tax Code shall be controlling.

SECTION 23. Effective Date. This ordinance shall be in full force and effect immediately upon its adoption, being an ordinance affecting the public peace, health and safety.

SECTION 24. Publication and Recordation. This ordinance shall be published in one issue of the official journal of this Governing Authority as soon as is reasonably possible. A certified copy of this ordinance shall be recorded in the mortgage records of the Parish of Jefferson Davis, State of Louisiana.

The final adoption of the foregoing ordinance having been duly moved and seconded, the roll was called and the following vote was taken and recorded:

YEAS: Arceneaux, Bordelon, Bruchhaus, Dees, Dobson, Doise, Segura,
 Singletary and Perry

NAYS: None

ABSENT: Bouley, Capdeville, Leger and Troutman

ABSTAINING: None

And the ordinance was declared adopted on this, the 17th day of October, 2019.

/s/ Kirk Credeur
Secretary

/s/ Phillip Arceneaux
President

Motion by Mr. Bordelon, seconded by Mr. Bruchhaus and unanimously carried to approve the following out-of-state travel requests - at no expense to the Board:

- A. JHS Foreign Language Club to travel to Houston, TX to the Houston Market Place on February 20, 2020.

- B. EHS FCCLA student, Richland Manuel (State FCCLA Vice-President) to travel to Dallas, TX from 11/15/19 to 11/17/19 to attend the National FCCLA Fall Cluster meeting.

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Motion by Mr. Doise, seconded by Mr. Dobson and unanimously carried to accept the 2018-2019 Louisiana Compliance Questionnaire for Audits of Governmental Agencies at the request of Mike Gillespie, CPA, APAC, external auditors of the School Board, as recommended by the Director of Finance.

INFORMATION:

Dale Hotard, Principal who retired in 1978, with 20 years of service.

The following dates have been set for Board Member training/Administrative Academy and Instruction:

- 1. Thursday, October 24, 2019 from 5:30 to 7:30 - Curriculum Staff
- 2. Thursday, November 7, 2019 from 5:30 to 7:30 - Jon Guice - School Law
- 3. Tuesday, December 12, 2019 from 5:30 to 7:30 - TBA
(Ethics training for Board Members from 4:00 to 5:00 on November 7, 2019, for any Board Members/Staff needing 1 hour of ethics training for 2019)

LSBA FALL TRAILBLAZERS will be held in **Natchitoches** on Friday, November 8th, in the afternoon and Saturday, November 9th, in the morning at Chateau Saint Denis Hotel. The tentative schedule for this workshop is 2:30 - 5:00 p.m. on Friday and 9:00 - 11:30 a.m. on Saturday. Please let Mrs. Debbie know if you would like to register.

PERSONNEL CHANGES

A. Personnel changes:

APPOINTMENTS

- 1. Jeremy Perkins, JHS SPED Para, 09/18/19, re: new position
- 2. Bridgette Dupuis, JHS Cafeteria Tech, 09/18/19, re: Alicia Williams Resignation.
- 3. Corey T. Parker, WEIC Teacher, 10/07/19, re: Erica Arabie promotion.

TRANSFERS

- 1. Kathy McGee, LHS Cafeteria Tech to JES Cafeteria Tech, 10/07/19, re: Corrie West resignation.
- 2. Mary Christina Boudreaux, WEIC Reg Ed Teacher to WEIC SPED Teacher, 10/7/19.

LEAVES

- 1. C. Carrier, JES Cafeteria Tech, 10/09/19 to 10/25/19.
- 2. V. Reed, JHS SPED Teacher, 08/26/19 (½), 08/27/19, 9/19/19 and 9/23/19 (½).
- 3. H. Augustine, EHS Teacher, 10/04/19 to 01/06/20.

4. A. Fruge, JWES Teacher, 09/10/19 to 11/05/19.
5. E. Istre, JWES Cafeteria Tech, 09/24/19 to 10/24/19.
6. K. Krielow, LAE/LAHS SLP, 08/26/19 to 09/04/19.
7. A. Bellard, LAHS French Teacher, 09/5/19 to 12/31/19.
8. D. Monceaux, LAHS Cafeteria Tech, 10/18/19 (½) to 11/29/19.

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CORRECTIONS

1. C. Cormier, JES Cafeteria Tech, 09/11/19 to 10/09/19. Should be C. Carrier, JES Cafeteria Tech, 09/11/19 to 10/09/19.
2. Gregory Guidry, JES Custodian, 09/09/19, re: James Fontenot resignation. Should be Gregory Guidry, JES Custodian, 09/09/19, re: James Fontenot Leave.

SUPERINTENDENT’S COMMENTS NOT REQUIRING BOARD ACTION

Reminded all of Building & Grounds Committee Meeting on Tuesday, October 22, 2019 at 5:15 (Location moved to Old Band Room at JES)

Motion by Mr. Doise, seconded by Mr. Bruchhaus and unanimously carried to enter into Executive Session to discuss Superintendent Contract Renewal. Board President asked that only Board Members remain for Executive Session.

Motion by Mr. Dees, seconded by Mr. Bruchhaus and unanimously carried to return to regular session.

There being no other business to come before the Board, it was moved by Mr. Bruchhaus, seconded by Mr. Dobson and unanimously carried, to adjourn.

/s/ Phillip Arceneaux, President

ATTEST:

/s/Kirk Credeur, Secretary/Superintendent

Note: Items purchased by quotes or bids may be reviewed at the School Board office during normal business hours. All policies can be reviewed at any facility under the jurisdiction of the Jefferson Davis Parish School Board.