

PROCEEDINGS OF THE TERREBONNE PARISH SCHOOL BOARD

August 4, 2020

The Terrebonne Parish School Board met today at 6:00 P.M. in regular session at its regular meeting place, the Terrebonne Parish School Board Office, 201 Stadium Drive, Houma, Louisiana, with Mrs. Debi Benoit, president, presiding, and the following members present: Mrs. Stacy V. Solet, vice president; Mr. Michael T. LaGarde, Mr. Gregory Harding, Mr. Matthew J. Ford, Mr. Clyde F. Hamner, Mr. Roger Dale DeHart, Dr. MayBelle N. Trahan, and Mr. Dane Voisin.

ABSENT: None

Mr. Ford led the Board and audience in the invocation and Pledge of Allegiance to the Flag.

A moment of silence was observed in memory of Octavia J. McKinley, retired school bus operator, and Audrey P. Babin, retired school paraprofessional, who recently passed away.

Motion of Mr. Hamner, seconded by Mr. DeHart, unanimously carried, the Board approved the minutes of Special School Board Meeting of June 23, 2020, and Regular School Board Meeting of July 7, 2020, as recorded.

Several announcements were made by President Benoit regarding upcoming meetings.

The following report of the Buildings, Food Service, and Transportation Committee meeting was presented to the Board with Mr. Harding, chairman, presiding:

Dear Members of the Board:

The **Buildings, Food Service, and Transportation Committee** met immediately following the 5:00 P.M. Public Hearing and Special School Board Meeting on Tuesday, July 21, 2020, in the Board Room of the School Board Office with the following members present: Mr. Gregory Harding, chairman, Mr. Dane Voisin, vice-chairman, and Mr. Roger Dale DeHart. Also in attendance were Mrs. Debi Benoit, Board president, Mrs. Stacy Solet, Board vice-president, Dr. MayBelle Trahan, Mr. Michael LaGarde, Mr. Matthew Ford, Mr. Clyde Hamner, Superintendent Philip Martin, and members of the staff.

Chairman Harding called the meeting to order.

Mrs. Monica Walther, MS, RD, LDN, Supervisor, Child Nutrition Program, addressed the Committee regarding Community Eligibility Provision (attached).

Mr. Merlin Lirette, AIA, CEFP, The Merlin Group, Ltd., addressed the Committee regarding a construction update of Mulberry Elementary School addition.

Mr. Sammy Poiencot, Plant Operations Manager, addressed the Committee regarding the sale and removal of portable buildings at Grand Caillou Elementary School.

Mr. Poiencot addressed the Committee regarding maintenance of Old Dularge Elementary School site.

Mr. Poiencot addressed the Committee regarding maintenance updates (attached).

There being no further business to come before the **Buildings, Food Service, and Transportation Committee**, the meeting was adjourned at 5:28 P.M.

Respectfully submitted,

Gregory Harding, Chairman

Dane Voisin, Vice Chairman

Roger Dale DeHart

SP/sn

The foregoing report was received in its entirety.

The report of the Buildings, Food Service, and Transportation Committee meeting was concluded, and President Benoit reassumed the Chair.

The following report of the Finance, Insurance, and Section 16 Lands Committee meeting was presented to the Board with Mr. Hamner, Chairman, presiding:

Dear Members of the Board:

The **FINANCE, INSURANCE, and SECTION 16 LANDS COMMITTEE** met immediately following the 5:00 P.M. Public Hearing and Special School Board Meeting, and the Buildings, Food Service, and Transportation Committee meeting on Tuesday, July 21, 2020, in the Board Room of the School Board Office with the following members present: Mr. Clyde Hamner, chairman, Mr. Michael LaGarde, vice chairman, and Mrs. Stacy Solet. Also in attendance were Mrs. Debi Benoit, Board president, Mr. Dane Voisin, Dr. MayBelle Trahan, Mr. Roger Dale DeHart, Mr. Matthew Ford, Mr. Gregory Harding, Superintendent Philip Martin, and members of the staff.

Chairman Hamner called the meeting to order.

Mrs. Rebecca Breaux, Chief Financial Officer, addressed the Committee regarding an Audit and Agreed-Upon Procedures Contract with LaPorte CPAs & Business Advisors.

RECOMMENDATION NO. 1

The Committee recommends that the Board approve an Audit and Agreed-Upon Procedures Contract with LaPorte CPAs & Business Advisors for the year June 30, 2020, as per the attached summary of charges, and authorize the Board president to sign all necessary documents pertaining thereto.

Mr. Matthew Rookard, Chief Executive Officer, Terrebonne Economic Development Authority, addressed the Committee regarding an Industrial Tax Exemption Program (ITEP) request by Gulf Island Shipyards, LLC #20180090.

RECOMMENDATION NO. 2

The Committee recommends that the Board adopt the attached resolution granting the request by Gulf Island Shipyards, LLC (Industrial Tax Exemption

Application #20180090) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorize the Board president to sign all necessary documents pertaining thereto.

Mr. Cliff Long, General Manager, Gulf Island Shipyards, LLC; Ms. Annette Foret-LaGarde, President, Terrebonne Association of Educators, and Ms. Wanda Triggs, citizen, also addressed the Committee regarding the foregoing recommendation.

Chairman Hamner addressed the Committee regarding an Industrial Tax Exemption Program (ITEP) request by Gulf Island Shipyards, LLC #20190283.

RECOMMENDATION NO. 3

The Committee recommends that the Board adopt the attached resolution granting the request by Gulf Island Shipyards, LLC (Industrial Tax Exemption Application #20190283) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorize the Board president to sign all necessary documents pertaining thereto.

Ms. Foret-LaGarde and Ms. Triggs addressed the Committee regarding the foregoing recommendation.

Chairman Hamner addressed the Committee regarding an Industrial Tax Exemption Program (ITEP) request by Gulf Island Shipyards, LLC #20190188.

RECOMMENDATION NO. 4

The Committee recommends that the Board adopt the attached resolution granting the request by Gulf Island Shipyards, LLC (Industrial Tax Exemption Application #20190188) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorize the Board president to sign all necessary documents pertaining thereto.

Ms. Foret-LaGarde and Ms. Paula Ferrer, citizen, addressed the Committee regarding the foregoing recommendation.

Mr. Rookard addressed the Committee regarding an Industrial Tax Exemption Program (ITEP) request by K & B Machine, LLC #20180498.

RECOMMENDATION NO. 5

The Committee recommends that the Board adopt the attached resolution granting the request by K & B Machine Works, LLC (Industrial Tax Exemption Application #20180498) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorize the Board president to sign all necessary documents pertaining thereto.

Mr. Scott Hebert, Risk Manager, K & B Machine Works, LLC, Ms. Foret-LaGarde, and Ms. Triggs addressed the Committee regarding the foregoing recommendation.

Superintendent Martin addressed the Committee regarding the Receipt of the Proposed Operating Budgets for Fiscal Year 2020-2021 and establishing a Public Hearing.

RECOMMENDATION NO. 6

The Committee recommends that the Board receive the Proposed Operating Budgets for the General Operating Fund, Child Nutrition Program

Fund, 1 Cent Sales Tax Fund, 1/2 Cent Sales Tax Fund, 3/4 Cent Sales Tax Fund, and various Special Revenue Funds for the 2020/2021 Fiscal Year and establish a Public Hearing on the same: Tuesday, August 11, 2020, at 6:00 P.M. in the Board Room of the Terrebonne Parish School Board Office, 201 Stadium Drive, Houma, LA 70360.

Chairman Hamner addressed the Committee regarding bids on Hunting and Trapping leases on Section 16 Lands.

RECOMMENDATION NO. 7

The Committee recommends that the Board accept the highest bids received, meeting all specifications, for Hunting and Trapping leases on Section 16 Lands for a five (5) year period, beginning August 5, 2020, through June 30, 2025, allow the Purchasing Department to re-advertise those sections where no bid was received and/or those sections in which leases were surrendered, and further, authorize the Board president to sign all necessary documents pertaining thereto:

Section 16, Township 20 South, Range 17 East Shannon Danos 9370 Grand Caillou Road Dulac, LA 70353	\$1,405.00
Section 16, Township 21 South, Range 13 East Matthew Hagen 102 Parlange Drive Houma, LA 70360	\$ 500.00
Section 16, Township 21 South, Range 14 East Stacey Molinere 156 Matherne Street Bourg, LA 70343	\$ 325.00
Section 16, Township 21 South, Range 17 East Murray Buquet 4301 Force Drive Bourg, LA 70343	\$ 400.00

Mrs. Breaux presented information on a Monthly Budget-to-Actual Comparison report (attached).

Mrs. Breaux presented an update on the Sales Tax collections report (attached). She stated that sales tax collections for the month of May 2020 are approximately 1.48% lower than May 2019.

There being no further business to come before the **Finance, Insurance, and Section 16 Lands Committee**, the meeting adjourned at 6:15 P.M.

Respectfully submitted,

Clyde Hamner, Chairman

Michael LaGarde, Vice Chairman

Stacy Solet

RB/bp

Motion of Mrs. Solet, seconded by Mr. LaGarde, unanimously carried, the Board approved an Audit and Agreed-Upon Procedures Contract with LaPorte CPAs & Business Advisors for the year June 30, 2020, as per the attached summary of charges, and authorized the Board president to sign all necessary documents pertaining thereto.

Motion of Mr. DeHart, seconded by Mrs. Solet, with the exception of Mr. Ford who objected, the Board adopted the following resolution granting the request by Gulf Island Shipyards, LLC (Industrial Tax Exemption Application #20180090) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorized the Board president to sign all necessary documents pertaining thereto:

RESOLUTION NO. 1915

A RESOLUTION TO APPROVE GULF ISLAND SHIPYARDS, LLC FOR PARTICIPATION IN THE INDUSTRIAL TAX EXEMPTION PROGRAM AT TERREBONNE PARISH, LOUISIANA

WHEREAS Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS Gulf Island Shipyards, LLC has applied for an Industrial Tax Exemption ("ITE"), Project #20180090-ITE which has been approved by the BCI, and thus been granted an Exemption Contract signed by Governor John Bel Edwards; and

WHEREAS Governor Edwards, through Executive Orders JBE 16-26 and 16-73, as amended, has set forth the conditions for his approval of ITE contracts, and affirmed that those conditions are in the best interest of the State of Louisiana; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, provides that ITE contracts should be premised upon job and payroll creation at new or expanded manufacturing plants or establishments, or upon showing that investment in modernization of the facility represents a compelling basis for retention of jobs and that the percentage of exemption from ad valorem taxes, and length of the contract for such exemption are based upon economic benefit in accordance with guidance received from the Secretary of Economic Development and concurred by the Terrebonne Parish Council, Terrebonne Parish School Board, and Terrebonne Parish Sheriff; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, further requires that this School Board, together with the other required local government entities signify consent to the terms of the exemption by resolution and the sheriff of this parish shall signify consent to the terms of the exemption by letter; and

WHEREAS Gulf Island Shipyards, LLC has undertaken an addition/expansion of a pipe shop facility at 301 Gulf Island Road in Houma, Terrebonne Parish, to facilitate the execution of a contract to construct U.S. Navy vessels; and

WHEREAS Louisiana Department of Economic Development and the Louisiana Board of Commerce and Industry have approved the aforementioned project, issued a contract signed by the Governor and have conveyed the same to this School Board, and thus this matter is now ready for a determination of approval of this School Board as required by JBE 16-26 and 16-73, as amended; and,

WHEREAS the Terrebonne Parish School Board in consideration of JBE 16-26 and 16-73, as amended, and in accordance with Louisiana Administrative Code §501, et seq., Louisiana Revised Statutes 47:1703 and 47:4311, et seq., finds the project, contract, as proposed, to be acceptable; and

NOW THEREFORE, BE IT RESOLVED, upon consideration of the foregoing and the public discussion held this day that the Terrebonne Parish School Board finds that Gulf Island Shipyards, LLC has presented compelling evidence that as a result of the completed investment of \$2,614,111 for which the exemption is being sought, and will create 3 jobs with an annual payroll of \$150,000 in concert with this investment, approves the terms of the Industrial Tax Exemption contract between the State of Louisiana, the Louisiana Department of Economic Development, and Gulf Island Shipyards, LLC with respect to the manufacturing facility located in Terrebonne Parish, Louisiana.

Terms: Exemption Contract for ad valorem taxes exemption at 80% for 5 years and subject to renewal at 80% exemption for the 5-year renewal Exemption Contract, subject to the company's compliance with and performance of the company's objectives considered as to the renewal.

Failure to satisfy 90% of either or both the company's required annual jobs and payroll, as attached, may result in reconsideration of the terms of the exemption or the opportunity for renewal of the initial five-year exemption.

This Terrebonne Parish School Board hereby approves the Industrial Tax Exemption Contract between the State of Louisiana, the Louisiana Department of Economic Development, and Gulf Island Shipyards, LLC.

THEREFORE, BE IT FURTHER RESOLVED by the School Board, that a copy of this resolution shall be forwarded to the Louisiana Department of Economic Development.

Ms. Annette Foret-LaGarde, President, Terrebonne Association of Educators, addressed the Board in opposition to the foregoing motion.

Motion of Mrs. Benoit, seconded by Mr. Voisin, with the exception of Mr. Ford who objected, the Board adopted the following resolution granting the request by Gulf Island Shipyards, LLC (Industrial Tax Exemption Application #20190283) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorized the Board president to sign all necessary documents pertaining thereto:

RESOLUTION NO. 1916

A RESOLUTION TO APPROVE GULF ISLAND SHIPYARDS, LLC FOR PARTICIPATION IN THE INDUSTRIAL TAX EXEMPTION PROGRAM AT TERREBONNE PARISH, LOUISIANA

WHEREAS Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS Gulf Island Shipyards, LLC has applied for an Industrial Tax Exemption ("ITE"), Project #20190283-ITE which has been approved by the BCI, and thus been granted an Exemption Contract signed by Governor John Bel Edwards; and

WHEREAS Governor Edwards, through Executive Orders JBE 16-26 and 16-73, as amended, has set forth the conditions for his approval of ITE contracts, and affirmed that those conditions are in the best interest of the State of Louisiana; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, provides that ITE contracts should be premised upon job and payroll creation at new or expanded manufacturing plants or establishments, or upon showing that investment in modernization of the facility represents a compelling basis for retention of jobs and that the percentage of exemption from ad valorem taxes, and length of the contract for such exemption are based upon economic benefit in accordance with guidance received from the Secretary of Economic Development and concurred by the Terrebonne Parish Council, Terrebonne Parish School Board, and Terrebonne Parish Sheriff; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, further requires that this School Board, together with the other required local government entities signify consent to the terms of the exemption by resolution and the sheriff of this parish shall signify consent to the terms of the exemption by letter; and

WHEREAS Gulf Island Shipyards, LLC has undertaken an addition/expansion to facility at 301 Gulf Island Road in Houma, Terrebonne Parish, to include an induction plate straightening system for constructing U.S. Navy vessels; and

WHEREAS Louisiana Department of Economic Development and the Louisiana Board of Commerce and Industry have approved the aforementioned project, issued a contract signed by the Governor and have conveyed the same to this School Board, and thus this matter is now ready for a determination of approval of this School Board as required by JBE 16-26 and 16-73, as amended; and,

WHEREAS the Terrebonne Parish School Board in consideration of JBE 16-26 and 16-73, as amended, and in accordance with Louisiana Administrative Code §501, et seq., Louisiana Revised Statutes 47:1703 and 47:4311, et seq., finds the project, contract, as proposed, to be acceptable; and

NOW THEREFORE, BE IT RESOLVED, upon consideration of the foregoing and the public discussion held this day that the Terrebonne Parish School Board finds that Gulf Island Shipyards, LLC has presented compelling evidence that as a result of the completed investment of \$167,580 for which the exemption is being sought, and will create 1 job with an annual payroll of \$50,000 in concert with this investment, approves the terms of the Industrial Tax Exemption contract between the State of Louisiana, the Louisiana Department of Economic Development, and Gulf Island Shipyards, LLC with respect to the manufacturing facility located in Terrebonne Parish, Louisiana.

Terms: Exemption Contract for ad valorem taxes exemption at 80% for 5 years and subject to renewal at 80% exemption for the 5-year renewal Exemption Contract, subject to the company's compliance with and performance of the company's objectives considered as to the renewal.

Failure to satisfy 90% of either or both the company's required annual jobs and payroll as attached may result in reconsideration of the terms of the exemption or the opportunity for renewal of the initial five-year exemption.

This Terrebonne Parish School Board hereby approves the Industrial Tax Exemption Contract between the State of Louisiana, the Louisiana Department of Economic Development, and Gulf Island Shipyards, LLC.

THEREFORE, BE IT FURTHER RESOLVED by the School Board, that a copy of this resolution shall be forwarded to the Louisiana Department of Economic Development.

Ms. Foret-LaGarde addressed the Board in opposition to the foregoing motion.

Motion of Mrs. Benoit, seconded by Mr. LaGarde, with the exception of Mr. Ford who objected, the Board adopted the following resolution granting the request by Gulf Island Shipyards, LLC (Industrial Tax Exemption Application #20190188) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorized the Board president to sign all necessary documents pertaining thereto:

RESOLUTION NO. 1917

A RESOLUTION TO APPROVE GULF ISLAND SHIPYARDS, LLC FOR PARTICIPATION IN THE INDUSTRIAL TAX EXEMPTION PROGRAM AT TERREBONNE PARISH, LOUISIANA

WHEREAS Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS Gulf Island Shipyards, LLC has applied for an Industrial Tax Exemption ("ITE"), Project #20190188-ITE which has been approved by the BCI, and thus been granted an Exemption Contract signed by Governor John Bel Edwards; and

WHEREAS Governor Edwards, through Executive Orders JBE 16-26 and 16-73, as amended, has set forth the conditions for his approval of ITE contracts, and affirmed that those conditions are in the best interest of the State of Louisiana; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, provides that ITE contracts should be premised upon job and payroll creation at new or expanded manufacturing plants or establishments, or upon showing that investment in modernization of the facility represents a compelling basis for retention of jobs and that the percentage of exemption from ad valorem taxes, and length of the contract for such exemption are based upon economic benefit in accordance with guidance received from the Secretary of Economic Development and concurred by the Terrebonne Parish Council, Terrebonne Parish School Board, and Terrebonne Parish Sheriff; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, further requires that this School Board, together with the other required local government entities signify consent to the terms of the exemption by resolution and the sheriff of this parish shall signify consent to the terms of the exemption by letter; and

WHEREAS Gulf Island Shipyards, LLC has undertaken an addition/expansion to facility at 301 Gulf Island Road in Houma, Terrebonne Parish, to facilitate component movement in the manufacturing process for constructing U.S. Navy vessels; and

WHEREAS Louisiana Department of Economic Development and the Louisiana Board of Commerce and Industry have approved the aforementioned project, issued a contract signed by the Governor and have conveyed the same to this School Board, and thus this matter is now ready for a determination of approval of this School Board as required by JBE 16-26 and 16-73, as amended; and,

WHEREAS the Terrebonne Parish School Board in consideration of JBE 16-26 and 16-73, as amended, and in accordance with Louisiana Administrative Code §501, et

seq., Louisiana Revised Statutes 47:1703 and 47:4311, et seq., finds the project, contract, as proposed, to be acceptable; and

NOW THEREFORE, BE IT RESOLVED, upon consideration of the foregoing and the public discussion held this day that the Terrebonne Parish School Board finds that Gulf Island Shipyards, LLC has presented compelling evidence that as a result of the completed investment of \$197,869 for which the exemption is being sought, and will create 1 job with an annual payroll of \$50,000 in concert with this investment, approves the terms of the Industrial Tax Exemption contract between the State of Louisiana, the Louisiana Department of Economic Development, and Gulf Island Shipyards, LLC with respect to the manufacturing facility located in Terrebonne Parish, Louisiana.

Terms: Exemption Contract for ad valorem taxes exemption at 80% for 5 years and subject to renewal at 80% exemption for the 5-year renewal Exemption Contract, subject to the company's compliance with and performance of the company's objectives considered as to the renewal.

Failure to satisfy 90% of either or both the company's required annual jobs and payroll as attached may result in reconsideration of the terms of the exemption or the opportunity for renewal of the initial five-year exemption.

This Terrebonne Parish School Board hereby approves the Industrial Tax Exemption Contract between the State of Louisiana, the Louisiana Department of Economic Development, and Gulf Island Shipyards, LLC.

THEREFORE, BE IT FURTHER RESOLVED by the School Board, that a copy of this resolution shall be forwarded to the Louisiana Department of Economic Development.

Ms. Foret-LaGarde addressed the Board in opposition to the foregoing motion.

Motion of Mr. DeHart, seconded by Mr. LaGarde, with the exception of Mr. Ford who objected, the Board adopted the following resolution granting the request by K & B Machine Works, LLC (Industrial Tax Exemption Application #20180498) for an Industrial Ad Valorem Tax Exemption, pending Board attorney review and approval, and further, authorized the Board president to sign all necessary documents pertaining thereto:

RESOLUTION NO. 1918

A RESOLUTION TO APPROVE K & B MACHINE WORKS, LLC FOR PARTICIPATION IN THE INDUSTRIAL TAX EXEMPTION PROGRAM AT TERREBONNE PARISH, LOUISIANA

WHEREAS Article 7, Section 21(F) of the Louisiana Constitution provides for the Board of Commerce and Industry ("BCI"), with the approval of the Governor, to approve contracts for the exemption of ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the Governor, deems in the best interest of the state; and

WHEREAS K & B Machine Works, LLC has applied for an Industrial Tax Exemption ("ITE"), Project #20180498-ITE which has been approved by the BCI, and thus been granted an Exemption Contract signed by Governor John Bel Edwards; and

WHEREAS Governor Edwards, through Executive Orders JBE 16-26 and 16-73, as amended, has set forth the conditions for his approval of ITE contracts, and affirmed that those conditions are in the best interest of the State of Louisiana; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, provides that ITE contracts should be premised upon job and payroll creation at new or expanded manufacturing plants or establishments, or upon showing that investment in modernization of the facility represents a compelling basis for retention of jobs and that the percentage of exemption from ad valorem taxes, and length of the contract for such exemption are based upon economic benefit in accordance with guidance received from the Secretary of Economic Development and concurred by the Terrebonne Parish Council, Terrebonne Parish School Board, and Terrebonne Parish Sheriff; and

WHEREAS Executive Order JBE 16-26 and 16-73, as amended, further requires that this School Board, together with the other required local government entities signify consent to the terms of the exemption by resolution and the sheriff of this parish shall signify consent to the terms of the exemption by letter; and

WHEREAS K & B Machine Works, LLC has undertaken an addition/expansion to facility at 208 Rebecca's Pond Road in Schriever, Terrebonne Parish, to grow market share through increased scope of business by capital investment in cutting-edge machine tools and technologies; and

WHEREAS Louisiana Department of Economic Development and the Louisiana Board of Commerce and Industry have approved the aforementioned project, issued a contract signed by the Governor and have conveyed the same to this School Board, and thus this matter is now ready for a determination of approval of this School Board as required by JBE 16-26 and 16-73, as amended; and,

WHEREAS the Terrebonne Parish School Board in consideration of JBE 16-26 and 16-73, as amended, and in accordance with Louisiana Administrative Code §501, et seq., Louisiana Revised Statutes 47:1703 and 47:4311, et seq., finds the project, contract, as proposed, to be acceptable; and

NOW THEREFORE, BE IT RESOLVED, upon consideration of the foregoing and the public discussion held this day that the Terrebonne Parish School Board finds that K & B Machine Works, LLC has presented compelling evidence that as a result of the completed investment of \$2,993,269 for which the exemption is being sought, and will create 10 jobs with an annual payroll of \$700,260 in concert with this investment, approves the terms of the Industrial Tax Exemption contract between the State of Louisiana, the Louisiana Department of Economic Development, and K & B Machine Works, LLC with respect to the manufacturing facility located in Terrebonne Parish, Louisiana.

Terms: Exemption Contract for ad valorem taxes exemption at 80% for 5 years and subject to renewal at 80% exemption for the 5-year renewal Exemption Contract, subject to the company's compliance with and performance of the company's objectives considered as to the renewal.

Failure to satisfy 90% of either or both the company's required annual jobs and payroll as attached may result in reconsideration of the terms of the exemption or the opportunity for renewal of the initial five-year exemption.

This Terrebonne Parish School Board hereby approves the Industrial Tax Exemption Contract between the State of Louisiana, the Louisiana Department of Economic Development, and K & B Machine Works, LLC.

THEREFORE, BE IT FURTHER RESOLVED by the School Board, that a copy of this resolution shall be forwarded to the Louisiana Department of Economic Development.

Ms. Foret-LaGarde addressed the Board in opposition to the foregoing motion.

Motion of Mr. LaGarde, seconded by Dr. Trahan, unanimously carried, the Board received the Proposed Operating Budgets for the General Operating Fund, Child Nutrition Program Fund, 1 Cent Sales Tax Fund, 1/2 Cent Sales Tax Fund, 3/4 Cent Sales Tax Fund, and various Special Revenue Funds for the 2020/2021 Fiscal Year and established a Public Hearing on the same: Tuesday, August 11, 2020, at 6:00 P.M. in the Board Room of the Terrebonne Parish School Board Office, 201 Stadium Drive, Houma, LA 70360.

Motion of Mr. DeHart, seconded by Mrs. Solet, unanimously carried, the Board accepted the following highest bids received, meeting all specifications, for Hunting and Trapping leases on Section 16 Lands for a five (5) year period, beginning August 5, 2020, through June 30, 2025, allowed the Purchasing Department to re-advertise those sections where no bid was received and/or those sections in which leases were surrendered, and further, authorized the Board president to sign all necessary documents pertaining thereto:

Section 16, Township 20 South, Range 17 East Shannon Danos 9370 Grand Caillou Road Dulac, LA 70353	\$ 1,405.00
Section 16, Township 21 South, Range 13 East Matthew Hagen 102 Parlange Drive Houma, LA 70360	\$ 500.00
Section 16, Township 21 South, Range 14 East Stacey Molinere 156 Matherne Street Bourg, LA 70343	\$ 325.00
Section 16, Township 21 South, Range 17 East Murray Buquet 4301 Force Drive Bourg, LA 70343	\$ 400.00

The report of the Finance, Insurance, and Section 16 Lands Committee meeting was concluded, and President Benoit reassumed the Chair.

The following report of the Education, Technology, and Policy Committee meeting was presented to the Board with Dr. Trahan, chairwoman, presiding:

Dear Members of the Board:

The **EDUCATION, TECHNOLOGY, and POLICY COMMITTEE** met on Tuesday, July 21, 2020, immediately following the 5:00 p.m. Public Hearing and Special School Board Meeting; the Buildings, Food Service, and Transportation Committee; Finance, Insurance, and Section 16 Lands Committee; and the Executive Committee in the Board Room of the School Board Office with the following members present: Dr. MayBelle Trahan, chairwoman, Mr. Matthew Ford, vice chairman, and Mrs. Debi Benoit. Also in attendance were Mrs. Stacy Solet, Board vice president, Mr. Gregory Harding, Mr. Clyde Hamner, Mr. Roger Dale DeHart, Mr. Michael LaGarde, Mr. Dane Voisin, Superintendent Philip Martin, and members of the staff.

Chairwoman Trahan called the meeting to order.

Dr. Debra Yarbrough, Supervisor of Personnel, presented changes to policy File: F-2 Equal Opportunity Employment (*Policy Alert* attached).

RECOMMENDATION NO. 1

The Committee recommends that the Board approve, as presented, revised policy FILE: F-2 Equal Opportunity Employment.

FILE: F-2
Cf: F-4, F-4.1, F-9.3
Cf: F-9.4, F-12.3

EQUAL OPPORTUNITY EMPLOYMENT

The Terrebonne Parish School Board declares as policy that all applicants for admission and employment, students, parents, **or legal guardians of students, or** employees, sources of referral of applicants and employment, and any and all entities having business with the School Board are hereby notified that the School Board does not discriminate on the basis of race, color, national origin, sex, age, disability, marital status, sexual orientation, religion or veteran status in admission or access to, or treatment or employment in, its programs and activities, **including any notices required by Title IX of the Education Amendments of 1972 or Part 106 of Title 34 of the United States Code of Federal Regulations.** The School Board pledges to protect qualified applicants and employees with disabilities from discrimination in hiring, promotion, termination, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. The School Board shall also provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship. Thus, this School Board pledges compliance with the regulations implementing Title VI, Title IX, The Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended.

The Superintendent and/or **his/her designee** ~~appropriate representative, as designated by the Superintendent,~~ shall investigate any and all complaints which may be brought against any individual school in the School District in regard to any alleged discriminatory action for appropriate treatment by the Board.

All employees shall be responsible for complying with this policy. Inquiries, concerns, or complaints related to any form of harassment or discrimination should be immediately reported to the immediate supervisor who, in turn, shall report the incident to the Superintendent and/or his/her designee. If the supervisor is the alleged harasser or discriminator, or the employee does not wish to report the matter to his/her supervisor, the employee may submit the complaint directly to the Superintendent or his/her designee for appropriate inquiry including, when appropriate, investigation. Except for complaints of sexual harassment of students, employees, and applicants, the investigation shall proceed in accordance with policy F-12.3, Employee Investigations. Further, the School Board prohibits retaliation against any individual for making a complaint under this policy or participating in the investigation of any such complaint.

PERSONS WITH DISABILITIES

In accordance with federal and state statutes addressing nondiscrimination of disabled persons, namely Section 504 of the Vocational Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, the Terrebonne Parish School Board attests that no qualified person with a disability shall, solely by

reason of a disability, be denied the benefits of, be excluded from participation in, or be otherwise subjected to discrimination under any program or activity; nor shall a qualified person with a disability be subjected to discrimination in employment.

Revised: July 2020

Ref: U.S. Constitution, Amend. XIV, Sec. 1; 20 USC 1681 (*Title IX of the Education Amendments of 1972*); 29 USC 621 et seq. (*Age Discrimination in Employment*); 29 USC 701 et seq. (*Vocational Rehabilitation and Other Rehabilitation Services*); 42 USC 2000d (*1964 Civil Rights Act*); 42 USC 12101 (*Americans with Disabilities Act of 1990*); Constitution of Louisiana, Art. I, Sec. 3, Art. X, Sec. 10; La. Rev. Stat. Ann. §§17:111, 23:301, 23:302, 23:303, 23:311, 23:312, 23:314, 23:322, 23:323, 23:332, 23:334, 23:341, 23:342, 23:352, 23:368; Griggs v. Duke Power Company, 91 S. Ct. 849 (1979); Singleton v. Jackson Municipal Separate School District, 419 F.2d 1211 (5th Cir. 1979); Board minutes, 2-17-87, **8-4-20**.

Annette Foret-LaGarde, President of the Terrebonne Association of Educators, Wanda Triggs and Paula Ferrer, concerned citizens, addressed the Committee requesting the policy revisions be posted with our agenda for public review prior to the Committee meeting.

Dr. Yarbrough presented changes to policy File: F-4 Grievances (*Policy Alert* attached).

RECOMMENDATION NO. 2

The Committee recommends that the Board approve, as presented, revised policy FILE: F-4 Non-Title IX Complaints and Grievances.

FILE: F-4
Cf: H-1.1, H-3.1b

NON-TITLE IX COMPLAINTS AND GRIEVANCES

Any employee or group of employees of the Terrebonne Parish School Board shall have the right to appeal the application and interpretation of policies, administrative decisions or laws affecting the employee or group of employees. The employee or group of employees shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in presenting an appeal of a grievance. All matters pertaining to a grievance shall be treated as confidential material and shall not be considered in decisions such as assignment, transfer, promotion or reemployment, leaves of absence and dismissal.

This policy shall not apply to sexual harassment complaints made pursuant to Title IX of the Education Amendments of 1972 (Title IX) and Part 106 of Title 34 of the United States Code of Federal Regulations. Any such Title IX complaints shall be subject to the Grievance Procedure developed and maintained by the Superintendent or his/her designee under the provisions of policy H-1.1, Title IX Sexual Harassment.

All grievances shall be handled expeditiously, and according to the procedures adopted by the School Board. The primary purpose of the procedures is to secure, at the most immediate level possible, equitable solutions to grievances brought forth by employees.

1. Definitions:

- A. A *grievance* is a claim by an employee or group of employees that the employee or group has suffered harm or injury by the interpretation, application or violation of a contract, a school board policy, administrative decision, a law or constitutionally guaranteed rights.

Grievances are of two types:

- 1) Substantive, according to law or policy, and
- 2) Procedural, the methodology of administering policies or legal right.

The term grievance does not include matters for which the method of review is prescribed by law or where the School Board is without authority to act **(e.g., employee lack of certification, terminations, rebuttal to observation, etc.)**

- B. A *grievant* is the employee or group of employees making the claim.
- C. *Immediate supervisor* is that employee possessing administrative authority to direct the activities of the grievant and having the authority to resolve the claim.
- D. The term *days* shall mean workdays. In order to expedite grievances begun at the end of the employment period by employees who work fewer than 12 months, workdays for these claims shall conform to the calendar of workdays for 12-month employees.

2. Procedure:

Step 1. The grievant shall informally and thoroughly discuss any grievance with his/her/their immediate supervisor. If no satisfactory resolution of the grievance is reached, the grievant shall present a written grievance to the immediate supervisor. Such written notice shall be presented no later than five (5) working days from the date of discussion with the immediate supervisor.

The written grievance should be submitted on the appropriate grievance form and should include:

- A. A specific statement of the contract provision, School Board policy, administrative decision, law, or constitutional right violated;
- B. Specific statement of the injury, loss, or inconvenience suffered by the grievant as a result of the violation;
- C. Documentation which supports the claim of the grievance;
- D. The results of informal discussion of the grievance at Step 1;
- E. The specific action that the grievant requests to remedy the injury brought about by the violation.

Additional documents that support the claim may be attached to the form.

The immediate supervisor shall render a written decision to the grievant within five (5) days of the receipt of the written grievance. In communicating his/her decision to the grievant, the immediate supervisor must provide the reason(s) for the decision.

Step 2. In the event the grievant wishes to appeal the decision in Step 1 or if no decision has been rendered in the time specified, the appeal must be presented, in writing, to the appropriate Central Office staff member with authority to resolve the matter. Such appeal shall be presented within five (5) days of the Step 1 decision.

The Central Office staff member may meet with the grievant and other parties to the grievance to discuss the facts of the grievance. The grievant shall be advised upon request prior to the meeting if anyone other than the grievant and the grievant's representative will be in attendance at the meeting with the Central Office staff member.

Within five (5) days of the receipt of the grievance, the Central Office staff member shall render a written decision. In communicating the decision, the Central Office staff member must provide the reason(s) for the decision.

Step 3. In the event the grievant wishes to appeal the decision of Step 2, or if no decision has been rendered in the time specified, the appeal must be presented, in writing, to the Superintendent or Superintendent's designee. Such appeal shall be presented within five (5) days of the receipt of the Step 2 decision.

Upon receipt of such a written appeal, the Superintendent or designee shall schedule a hearing at a specific date and time. The grievant and the Superintendent or designee must mutually agree upon the time and date.

The Superintendent or designee, at the date and time specified, shall conduct a full hearing on the grievance and maintain a transcript of the proceedings. Following the hearing, the Superintendent or designee shall render a written decision within ten (10) days of receipt of the written grievance. This written decision and the reason(s) for the decision shall be provided to the grievant. The written decision, the reason(s) for the decision and a copy of the transcript of the hearing proceedings shall be provided to the School Board. The grievant shall also be provided with the procedure(s) to be followed should the grievant wish a hearing before the School Board.

Step 4. The School Board shall conduct a hearing to dispose of the grievance within twenty (20) days of the decision of the Superintendent or designee and shall notify the grievant of the date and time. The grievant maintains the right to appear before the School Board and the right of representation before the Board.

Step 5. In the event the grievant is not satisfied with the disposition at Step 4, the grievant may take additional action as provided within Federal or State statutes.

3. Representation

- A. The grievant shall have the right to present his/her/their own grievance or may designate a representative to appear with him/her/them at any step of the procedure.

- B. A grievant who chooses to have representation shall provide advance notice of such, in writing, to the administrator at the respective procedural level at least two days prior to the hearing on the grievance.

4. General Provisions

- A. The number of days indicated at each level is a maximum. Every effort shall be made to expedite the progression of grievance. Time limits specified may be extended in any specific instance by mutual agreement of both parties.
- B. At each level the person handling the grievance may meet with the parties involved with the grievance.
- C. Appeals of grievance decisions will be limited to the specific issues raised in the original grievance. The parties involved with the grievance will not be allowed to expand the issues during the grievance procedure, except to the extent necessary to respond to administrative decisions made during the process.
- D. All documents, communications, and records dealing with a grievance shall be filed separately from and no notation of such grievance shall appear in the official personnel file of the grievant, unless so requested by the grievant.
- E. All meetings concerning grievances will take place at reasonable hours. Employees absent from their assigned duties because of such meetings must have the approval of the administration. If a grievance hearing is scheduled during the regular working day, all participants in the investigation and processing of the grievance, including the grievant and witnesses, shall be released from regular duties and shall suffer no loss of pay or benefits. Reasonable notice of scheduled hearings shall be given to all participants.
- F. A grievance may be withdrawn at any level.
- G. If the grievant voluntarily or involuntarily leaves the employment of the School Board at any level of the grievance, then such grievant loses the right to continue the grievance process.
- H. Failure by the grievant to meet the timelines and requirements of this procedure shall result in dismissal of the grievance. Failure by an administrator to meet timelines and requirements of this procedure shall allow the grievant, at his/her/their option, to proceed to the next level of appeal.
- I. The dismissal or termination of any employee shall not be considered a grievable action.

Revised: February 1999

Revised: April 1999

Revised: November 2012

Revised: July 2020

Ref: La. Rev. Stat. Ann. §17:100.4; Pickering v. Board of Education, 88 S. Ct. 1731 (1968); Board minutes 2-9-99, 11-20-12, **8-4-20**.

Dr. Yarbrough presented changes to policy File: F-4.1 Sexual Harassment (Policy Alert attached).

RECOMMENDATION NO. 3

The Committee recommends that the Board approve, as presented, revised policy FILE: F-4.1 Title VII Employee Sexual Harassment.

FILE: F-4.1

Cf: F-2, F-4, F-9.3

Cf: F-12.3, F-12.8

Cf: H-1.1, H-3.1b, H-4.5

TITLE VII EMPLOYEE SEXUAL HARASSMENT

The Terrebonne Parish School Board recognizes that sex and gender discrimination is unlawful. ~~In particular, Title IX of the Education Amendment prohibits discrimination on the basis of sex for all education programs that receive federal funding. State criminal laws, as well as civil law, such as laws against child abuse, all prohibit sexual harassment.~~

The Terrebonne Parish School Board is committed to maintaining a school system that is fair and respectful for all. Therefore, the Terrebonne Parish School Board prohibits such harassment by School Board members, administrators, certified and non-certified personnel, students, vendors, and any others having business or other contact with the school system.

All administrative and supervisory personnel shall investigate all complaints, either formal or informal, verbal or written, of sexual harassment and shall discipline any person who sexually harasses a student or employee. Failure to enforce this policy in a prompt and strict manner may subject such administrative and supervisory personnel to disciplinary action.

Persons found in violation of this policy will be subject to discipline, including, but not limited to, reprimand, probation, demotion, suspension, or termination, or other sanction as determined appropriate by the School Board.

DEFINITION

~~**Sexual harassment on the basis of sex is defined as any**~~ **is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment on the basis of sex, race, color, national origin, and religion.**

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature **constitute sexual harassment** when:

1. Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of an individual's employment ~~or education, or participation in school program or activities;~~ or
2. Submission to or rejection of such advances, requests or conduct is used as a basis for employment ~~or education~~ decisions affecting the individual; or
3. Such advances, requests, or conduct have the effect of interfering with an individual's professional ~~or academic~~

performance or creating an intimidating, hostile, or otherwise offensive ~~academic or~~ work environment.

Conduct which might constitute sexual harassment, as defined above, may include, but is not limited to, the following:

1. Verbal harassment such as derogatory comments, jokes, slurs;
2. Physical harassment such as unnecessary or offensive touching, cornering, patting, or pinching;
3. Visual harassment such as derogatory or offensive posters, cards, cartoons, graffiti, drawings, looks, or gestures;
4. Demands for sexual favors accompanied by implied or overt threats concerning an individual's employment or education status; or
5. Demands for sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status.

The harassment may be gender specific, but non-sexual in nature. Such harassment includes statements based on gender stereotypes and behavior, which interferes with an employee's work ~~or with a student's academic progress.~~

REPORTING AND INVESTIGATING PROCEDURES

1. An employee who believes he or she has been the victim of sexual harassment shall report the alleged acts to his or her immediate supervisor. If the employee believes that the immediate supervisor is the source of the harassment, he or she shall report to the next higher level administrator on the chain of command.
- ~~2. Any student who alleges sexual harassment by a student or staff member in the school district may complain directly to a teacher, guidance counselor, or administrator. Any school employee who receives a report of alleged sexual harassment shall immediately report the same to the school principal or the immediate supervisor, and the principal or immediate supervisor shall immediately investigate the allegations. Failure by an employee to do so may subject the employee to disciplinary action.~~
2. All complaints of sexual harassment must be investigated immediately and with due regard for impartiality and confidentiality utilizing the procedures outlined in policy *F-12.3, Investigations*. The investigation shall include personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint, as well as a review of related charges, if any, personnel files, work records and other pertinent information.

Failure to maintain confidentiality will result in disciplinary action.

3. All individuals involved in the alleged incident must be notified that an investigation is being conducted. The investigating supervisor shall meet with the complainant and the alleged offender either separately or together as the circumstances dictate. Both parties shall have the right to representation at all levels of the investigation.

4. In determining whether alleged conduct constitutes sexual harassment, the investigator shall consider the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred.
5. If necessary, immediate steps may be taken to protect the complainant pending completion of an investigation of alleged sexual harassment.
6. No reprisals or retaliation shall be allowed to occur as a result of the good faith reporting of charges of sexual harassment.
7. All supervisors shall follow up within one (1) month and again in three (3) months of any reported incident of sexual harassment to determine whether the victim has been subject to any further forbidden conduct.

RESULTS OF INVESTIGATION

Upon receipt of a recommendation that a complaint is valid, the Superintendent shall take such action as appropriate based on the results of the investigation, which may include, but not be limited to, suspension with or without pay, demotion, or termination.

If, based on the results of the investigation, the claim of sexual harassment is found to be intentionally false, the Superintendent shall take such action as appropriate, which may include, but not be limited to, suspension with or without pay, demotion, or termination.

Any employee shall have the right to pursue a claim of sexual harassment under state or federal law, regardless of the outcome of the School Board's investigation.

RETALIATION PROHIBITED

The Superintendent shall discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists, or participates in an investigation, proceeding or hearing relating to a sexual harassment complaint. *Retaliation* shall include, but not be limited to, any form of intimidation, reprisal, or harassment at the time of a report or any time after a report.

NON-HARASSMENT

The School Board recognizes that not every advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident is a personal, social relationship without a discriminatory employment effect requires a determination based on all the facts and surrounding circumstances. Deliberate false accusations of sexual harassment can have a serious detrimental effect on innocent parties and subject the accuser to disciplinary actions.

SEXUAL HARASSMENT AS SEXUAL ABUSE OR CRIMINAL ACTIVITY

Under certain circumstances, sexual harassment of a student may constitute sexual abuse under the Louisiana Children's Code. In such situations, School Board personnel become *mandatory reporters* and shall comply with *Article 609(A)* of the Louisiana Children's Code and directly report the sexual abuse to the Child Protection Unit of the Louisiana Department of Social Services.

Also, activity of a criminal nature should be reported by the victim to local law enforcement.

TRAINING REQUIREMENT

Each School Board employee shall receive a minimum of one hour of education and training on preventing sexual harassment during each full calendar year of his/her employment. Supervisors and other persons designated to accept or investigate complaints of sexual harassment in the workplace shall receive additional education and training.

NOTIFICATION

Copies of this policy will be circulated to, posted in all schools and departments of the Terrebonne Parish School Board, and placed on the School Board's website.

RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

Employees shall be apprised of applicable federal and state law on sexual harassment, including the right of the complainant to pursue a claim under state or federal law, regardless of the outcome of the investigation.

Revised: April 1996

Revised: June 1996

Revised: November 2019

Revised: February 2020

Revised: July 2020

Ref: 42 USC 2000e et seq. (*Civil Rights Act of 1964*); 29 CFR 1604.11 (*Guidelines on Discrimination Because of Sex*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 14:43, 14:81.4, 17:81, 23:301, 23:302, 23:303, 23:332, 23:967, 42:341, 42:342, 42:343, 42:344, 42:345; La. Civil Code, Art. 2315; Board minutes, 4-23-96, 6-18-96, 2-5-19, 2-4-20, **8-4-20**.

Dr. Yarbrough presented changes to policy File: F-12.3 Employee Investigations (*Policy Alert* attached).

RECOMMENDATION NO. 4

The Committee recommends that the Board approve, as presented, revised policy FILE: F-12.3 Employee Investigations.

FILE: F-12.3

Cf: F-8, F-12.8, H-1.1

Cf: H-3.1b, H-3.5a, H-4.5

EMPLOYEE INVESTIGATIONS

GENERAL INVESTIGATIONS

Concerns about serious situations or conditions within the school system should be reported to the Superintendent or his/her designee. Should the Superintendent determine that the situation/condition warrants investigation, he/she shall have the matter investigated by appointing appropriate staff personnel (one or more persons) to make the necessary inquiries. At the conclusion of their investigation, a report shall be prepared for submission to the Superintendent.

No School Board Member shall participate in any investigation undertaken in the school system. ~~shall be conducted in accordance with the following stipulations:~~

1. ~~No School Board member shall participate in any manner in an investigation.~~
2. ~~The Superintendent or designee shall use every means possible to protect School Board personnel from unwarranted personal criticism.~~

In any investigation into incidents involving accidents or injuries to students or employees, or involving student misconduct, or the competence, honesty or performance of duties of employees, all employees of the Terrebonne Parish School Board shall, upon reasonable request by the Superintendent or his/her designee, give a statement of the facts and circumstances within the employee's knowledge, or an accounting of the employee's conduct concerning the circumstances which are the subject of the investigation or are related to the matter being investigated.

If deemed appropriate by the Superintendent or his/her designee in the conduct of such investigation, employees shall, upon reasonable notification, appear at the offices of the Superintendent or at such other suitable location within the parish as might be appropriate and convenient in the investigation.

During any such employee interview, the employee may have legal representation, if desired by the employee, but said representation shall be at no cost to the Terrebonne Parish School Board.

PUBLIC ANNOUNCEMENT OF EMPLOYEE DISCIPLINE

The Terrebonne Parish School Board, in accordance with state law, shall initiate an investigation of an employee, in cases where the School Board has made a public announcement that an employee may be disciplined, whether or not there is an accompanying reduction in pay. The investigation shall proceed as outlined below under ~~Reporting~~ **Investigation Procedures**. Not later than thirty (30) days after the conclusion of the investigation and prior to any School Board action to implement such disciplinary action, the employee may appear, if he/she so determines, before the School Board in open session and be given a reasonable time, as determined by the School Board, to comment on the investigation and any actions taken or proposed to be taken involving the employee.

These provisions shall not be applicable to any reduction in force initiated by the School Board.

IMPERMISSIBLE CORPORAL PUNISHMENT OR MORAL OFFENSES

If an employee is accused of impermissible corporal punishment, or of a moral offense involving a student, a prompt, thorough investigation shall be conducted by the Superintendent or designee. The investigation shall proceed as outlined below under ~~Reporting~~ **Investigation Procedures**. A written report of the results of the investigation shall be prepared, and the employee shall be provided with a copy of such report. The Superintendent may promulgate such administrative regulations **and procedures** as he/she deems necessary to implement this policy. Any employee found to have violated the provisions of School Board policy shall be disciplined by such means as appropriate to the incident, including reprimand, suspension,

termination, and/or referral to the local child protection agency/law enforcement.

If the allegation falls within the definition of *abuse* as defined in state law, ~~Board policy H-4.5, *Child Abuse*~~, then all school employees with knowledge of such incidents become *mandatory reporters* and the allegations must be reported to child protection or law enforcement as provided by state law and School Board policy **(see policy H-4.5, *Child Abuse*)**. Such reporting shall be made and applied in conjunction with the procedures outlined in this policy.

TITLE IX SEXUAL HARASSMENT INVESTIGATIONS

Any investigation of sexual harassment under Title IX of the Education Amendments of 1972 (Title IX) and Part 106 of Title 34 of the United States Code of Federal Regulations shall be conducted in accordance with the procedures developed and maintained by the Superintendent or his/her designee under the provisions of policy H-1.1, Title IX Sexual Harassment.

REPORTING INVESTIGATION PROCEDURES

Notwithstanding any statute or other School Board policy, any complaint relative to employee conduct shall be handled as follows:

1. The Superintendent or his/her designee may order such investigation to be conducted in each instance as is warranted by the circumstances, **and shall conduct an investigation when required by law or School Board policy.**
2. The investigation shall be conducted by the Superintendent or his/her designee. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint. Staff members or students may be interviewed if it is deemed essential to the investigation.
3. The Superintendent or his/her designee shall confer with each accused employee's immediate supervisor concerning the results of the investigation and the immediate supervisor shall discuss the matter with the employee.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Superintendent or his/her designee and a copy forwarded to the complainant no later than (30) days after its filing.
5. If ~~charges are~~ **a complaint is** substantiated, **the Superintendent shall consider appropriate disciplinary action which** may be taken in accordance with School Board policy, **which may include termination**, ~~based upon investigative evidence gathered, which may include termination of employment of the employee.~~ Any disciplinary action shall be placed in the offender's personnel file which will reflect the action taken and the grounds thereof.

CONFIDENTIALITY

The School Board shall attempt to protect the privacy of the complainant and the respondent, but confidentiality is not guaranteed. Information regarding the complaint and identities of complainants, respondents, and witnesses may be revealed as permitted or required by law, and as is

necessary to conduct the investigation and enforce the consequences of the investigation.

Revised: November 2006

Revised: November 2009

Revised: November 2012

Revised: July 2020

Ref: **34 CFR 106 et seq. (Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance)**; La. Rev. Stat. Ann. §§14:403, 17:81, 17:81.6, 17:81.8, 17:223; Board minutes, 11-01-06, 11-17-09, 11-20-12, **8-4-20**.

Dr. Yarbrough presented NEW policy File: H-1.1 Title IX Sexual Harassment (*Policy Alert* attached).

RECOMMENDATION NO. 5

The Committee recommends that the Board approve, as presented, new policy FILE: H-1.1 Title IX Sexual Harassment.

NEW POLICY

FILE: H-1.1

Cf: F-4.1, H-3.1b

Cf: H-3.3h, H-4.5

TITLE IX SEXUAL HARASSMENT

The Terrebonne Parish School Board desires to provide a safe school environment that allows all students equal access and opportunities in the School District's academic, extracurricular, and other educational support programs, services, and activities. The School Board does not discriminate on the basis of sex in the education program or activity that it operates. The School Board is required by Title IX of the Education Amendments of 1972 (Title IX) and Part 106 of Title 34 of the United States Code of Federal Regulations not to discriminate on the basis of sex in the education program or activity that it operates, including admission and employment. The School Board recognizes that sexual harassment is a form of discrimination on the basis of sex and the School Board prohibits sexual harassment as defined by Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations.

Any person may report discrimination based on sex, including sexual harassment, in person, by mail, by telephone, or by electronic mail to the School Board's Title IX Coordinator at any time, including during non-business hours. Any School Board employee who has actual knowledge of sexual harassment must report the conduct to the Title IX Coordinator. The Terrebonne Parish School Board's Title IX Coordinator's name and contact information is provided to applicants for admission and employment, students, parents or legal guardians, school students, employees, and published in the Student Code of Conduct, and on the School Board's website. Reports of and inquiries regarding unlawful sex discrimination may also be made to the Assistant Secretary for Civil Rights of the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20202-1100, Email: ocr@ed.gov, 1-800-421-3481. The School Board's Title IX Coordinator shall be authorized to coordinate the School Board's Title IX obligations.

DEFINITIONS

As used in this policy:

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to any employee of the School Board. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the School Board with actual knowledge is the respondent.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School Board investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the Terrebonne Parish School Board with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under and by any additional method designated by the School Board. As used in this paragraph, the phrase document filed by a complainant means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the School Board) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator shall not be a complainant or otherwise a party to any grievance procedure, and shall at all times comply with Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations.

Notice means whenever any employee: witnesses sexual harassment; hears about sexual harassment, or sexual harassment allegations from a complainant (i.e., a person alleged to be the victim) or a third party (e.g., the complainant's parent, friend, or peer); receives a written or verbal complaint about sexual harassment or sexual harassment allegations; or by any other means.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the Terrebonne Parish School Board conditioning the provision of an aid, benefit, or service of the Terrebonne Parish School Board on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Terrebonne Parish School Board's education program or activity; or
3. Sexual assault as defined in 20 USC 1092, dating violence as defined in 34 USC 12291, domestic violence as defined in 34 USC 12291, or "stalking" as defined in 34 USC 12291.

Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a

formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School Board's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School Board shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the School Board to provide the supportive measures. The Title IX Coordinator shall be responsible for coordinating the effective implementation of supportive measures.

COVERAGE

This policy applies to all students, employees and non-employee volunteers, to the elected members of the School Board, and to all students of the Terrebonne Parish School District. It applies at school, and locations, events, or circumstances over which the School Board has exercised substantial control over both the respondent and the context in which sexual harassment occurs.

TITLE IX COORDINATOR

The Superintendent shall designate and authorize a "Title IX Coordinator" to coordinate the Terrebonne Parish School Board's efforts to comply with Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations. The Title IX Coordinator shall undergo and receive all training required by Part 106 of Title 34 of the United States Code of Federal Regulations. The name, office address, electronic mail address, and telephone number of the Title IX Coordinator shall be published as required by Part 106 of Title 34 of the United States Code of Federal Regulations.

RESPONSE TO SEXUAL HARASSMENT

If the Terrebonne Parish School Board has actual knowledge of sexual harassment in an education program or activity, then the Title IX Coordinator shall be informed and the Title IX Coordinator shall offer supportive measures and follow the grievance procedures adopted pursuant to this policy.

The Superintendent and/or the Title IX Coordinator shall develop and maintain a Title IX Grievance Procedure that complies with 34 CFR §106.45, including investigation of any incident of which it has actual knowledge. The Title IX Grievance Procedure shall include the procedures to appeal any determination regarding sexual harassment under Title IX.

Nothing shall preclude the School Board from removing a respondent from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines an immediate threat to the physical health or safety of a complainant, student, or other individual arising from the allegations of sexual harassment justifies immediate removal. Neither shall the School Board be precluded from placing a non-student employee respondent on administrative leave during the pendency of the grievance process developed according to this policy. In both such instances, the respondent shall be provided with notice and an opportunity to challenge the decision contemporaneously with or

immediately following the removal. This provision shall not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act or regulations promulgated thereunder.

TITLE IX RECORDKEEPING

The Terrebonne Parish School Board shall retain for a period of seven (7) years records of each sexual harassment investigation including any determination regarding responsibility, any appeal and the result therefrom, any informal resolution and the result therefrom, and all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. For any response to actual knowledge of sexual harassment, the Title IX Coordinator shall create and maintain for a period of seven (7) years, records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the Title IX Coordinator shall document the basis for a conclusion that its response was not deliberately indifferent and document the measures designed to restore or preserve equal access to the School Board's education program or activity. If no supportive measures were provided to a complainant, then the Title IX Coordinator shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

NONRETALIATION

Neither the Terrebonne Parish School Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or Part 106 of Title 34 of the United States Code of Federal Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including charges against an individual for other policy violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or Part 106 of Title 34 of the United States Code of Federal Regulations, constitutes retaliation.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited by this policy. Charging an individual with a policy violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

CONFIDENTIALITY

The Terrebonne Parish School Board shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 USC 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination as set forth in this policy.

SUSPECTED CHILD ABUSE

If the victim of the alleged sexual harassment is a minor student and if the alleged harassment falls within the definition of abuse as found in School Board policy H-4.5, Child Abuse, then all school employees with knowledge shall be considered mandatory reporters and the allegations must be reported to child protection or law enforcement as provided by state law and School Board policy. Such reporting shall be made in addition to any procedures for handling sexual harassment complaints.

New policy: July 2020

Ref: 42 USC 2000e (Civil Rights-Definitions); 29 CFR 1604.11 (Guidelines on Discrimination Because of Sex-Sexual Harassment); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 17:81; Board minutes, 8-4-20.

Dr. Yarbrough presented NEW policy File: H-3.1b Sexually Related Student Misconduct (Policy Alert attached).

RECOMMENDATION NO. 6

The Committee recommends that the Board approve, as presented, new policy FILE: H-3.1b Sexually Related Student Misconduct.

NEW POLICY

FILE: H-3.1b
Cf: F-4.1, H-1.1
Cf: H-3.3h, H-4.5

SEXUALLY RELATED STUDENT MISCONDUCT

The Terrebonne Parish School Board disapproves of and does not tolerate sexual misconduct by employees to students, by students to employees, or by one student to another student. No employee or student, either male or female, should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual misconduct does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, and therefore interferes with the purposes of the employee and/or student in the academic, extracurricular, and co-curricular atmosphere, but that does not rise to the level of sexual misconduct as defined by Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations. Sexual misconduct includes any type of sexually coercive conduct, including, but not limited to, threats, comments, jokes or overtures of a sexual nature.

COVERAGE

This policy applies to all employees and volunteers, to the elected members of the School Board, and to all students of the Terrebonne Parish School District. It applies at school, school sponsored events on or off school grounds, and in situations which are related to operations of the school.

COMPLAINT PROCEDURE

Complaints of sexual misconduct which take place at school or at a school related function or arising out of the school setting should be made to the principal of the school or other designated administrative personnel. Should the claim of sexual misconduct be brought against the principal of the school, the complaint should be brought directly to the Supervisor of Child Welfare and Attendance or his/her designee or the Title IX Coordinator. The

complaint need not be in writing, but students are encouraged to do so. Such reports should include the nature of the complaint, recording the specific act or acts which constitute the misconduct complained of, the person or persons who the complainant alleges committed the misconduct, witnesses to the acts complained of, and the date and time of the alleged act or acts.

After notification of the complaint, a confidential investigation shall immediately be initiated by the Superintendent or his/her designee to gather all facts about the complaint. The investigation may use some or all of the investigation procedures outlined in policy H-3.3h, *Bullying and Hazing*.

After the investigation has been completed, a determination shall be made regarding the resolution of the complaint. If warranted, disciplinary action shall be taken up to and including involuntary termination of an employee and/or expulsion of a student. Any disciplinary action regarding an employee shall be placed in the employee's personnel file which shall reflect the action taken and the grounds therefor. Any disciplinary action taken in regard to a student shall be maintained as any other student disciplinary violation.

NONRETALIATION

Retaliation against any employee or student who brings sexual misconduct charges or who assists in investigating such charges shall be prohibited. Any employee or student bringing a sexual misconduct complaint or assisting in the investigation of such a complaint shall not be adversely affected, discriminated against or punished because of the complaint.

SUSPECTED CHILD ABUSE

If the victim of the alleged sexual misconduct is a minor student and if the alleged misconduct falls within the definition of abuse as found in School Board policy H-4.5, *Child Abuse*, then all school employees with knowledge shall be considered mandatory reporters and the allegations shall be reported to child protection or law enforcement as provided by state law and School Board policy. Such reporting shall be made in addition to any procedures for handling sexual misconduct complaints.

New policy: July 2020

Ref: 42 USC 2000e (Civil Rights-Definitions); 29 CFR 1604.11 (Guidelines on Discrimination Because of Sex-Sexual Misconduct); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 17:81; Board minutes, 8-4-20.

Dr. Myra Austin, District Assessment and Accountability Administrator, presented changes in the Pupil Progression Plan (PPP). Dr. Austin explained that the main changes are as follows: 1) Since there was no spring 2020 state testing, students transferring in from a private or out-of-state school do not have to take the LEAP Placement Test for enrollment purposes. The test will be available if schools would like to give it in order to provide information concerning interventions needed; and, 2) Summer school will not be offered at the end of this school session.

RECOMMENDATION NO. 7

The Committee recommends that the Board approve, as presented, the revised Pupil Progression Plan for the 2020-2021 school year.

Mr. Bubba Orgeron, Assistant Superintendent, presented information on one-door access being installed by Homeland Safety Systems. He stated that most schools have one-door access now with a camera installed. He commented that some schools currently have access control installed by a previous company, but staff is looking at those schools to see if anything needs to be added.

Mr. Orgeron presented information on the Virtual Learning Plans for the 2020-2021 school year. He stated the Governor's Phase 1 will be virtual (at home learning) only and Phase 2 will be traditional school with a virtual option. He commented that there are tutorials now on the website to help parents with the virtual learning process.

There being no further business to come before the **Education, Technology, and Policy Committee**, the meeting adjourned at 7:27 P.M.

Respectfully submitted,

MayBelle Trahan, Ed.D., Chairwoman

Matthew Ford, Vice Chairman

Debi Benoit

ABO/jb

Motion of Mr. Voisin, seconded by Mrs. Benoit, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised policy File: F-2 Equal Opportunity Employment.

Motion of Mrs. Solet, seconded by Mrs. Benoit, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised policy File: F-4 Non-Title IX Complaints and Grievances.

Motion of Mr. DeHart, seconded by Mr. Hamner, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised policy File: F-4.1 Title VII Employee Sexual Harassment.

Ms. Wanda R. Triggs, citizen, addressed the Board regarding the foregoing motion.

Motion of Mr. Voisin, seconded by Mrs. Benoit, unanimously carried, the Board approved, as presented and outlined in the foregoing report, revised policy File: F-12.3 Employee Investigations.

Motion of Mr. Hamner, seconded by Mrs. Solet, unanimously carried, the Board approved, as presented, the following new policy File: H-1.1 Title IX Sexual Harassment:

NEW POLICY

FILE: H-1.1
Cf: F-4.1, H-3.1b
Cf: H-3.3h, H-4.5

TITLE IX SEXUAL HARASSMENT

The Terrebonne Parish School Board desires to provide a safe school environment that allows all students equal access and opportunities in the School District's academic, extracurricular, and other educational support programs, services, and activities. The School Board does not discriminate on the basis of sex in the

education program or activity that it operates. The School Board is required by Title IX of the Education Amendments of 1972 (Title IX) and Part 106 of Title 34 of the United States Code of Federal Regulations not to discriminate on the basis of sex in the education program or activity that it operates, including admission and employment. The School Board recognizes that sexual harassment is a form of discrimination on the basis of sex and the School Board prohibits sexual harassment as defined by Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations.

Any person may report discrimination based on sex, including sexual harassment, in person, by mail, by telephone, or by electronic mail to the School Board's Title IX Coordinator at any time, including during non-business hours. Any School Board employee who has actual knowledge of sexual harassment must report the conduct to the Title IX Coordinator. The Terrebonne Parish School Board's Title IX Coordinator's name and contact information is provided to applicants for admission and employment, students, parents or legal guardians, school students, employees, and published in the *Student Code of Conduct*, and on the School Board's website. Reports of and inquiries regarding unlawful sex discrimination may also be made to the Assistant Secretary for Civil Rights of the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20202-1100, Email: ocr@ed.gov, 1-800-421-3481. The School Board's Title IX Coordinator shall be authorized to coordinate the School Board's Title IX obligations.

DEFINITIONS

As used in this policy:

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to any employee of the School Board. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the School Board with actual knowledge is the respondent.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School Board investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the Terrebonne Parish School Board with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under and by any additional method designated by the School Board. As used in this paragraph, the phrase *document filed by a complainant* means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the School Board) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator shall not be a complainant or otherwise a party to any grievance procedure, and shall at all times comply with Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations.

Notice means whenever any employee: witnesses sexual harassment; hears about sexual harassment, or sexual harassment allegations from a complainant (i.e., a person alleged to be the victim) or a third party (e.g., the complainant's parent, friend, or peer); receives a written or verbal complaint about sexual harassment or sexual harassment allegations; or by any other means.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the Terrebonne Parish School Board conditioning the provision of an aid, benefit, or service of the Terrebonne Parish School Board on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Terrebonne Parish School Board's education program or activity; or
3. Sexual assault as defined in 20 USC 1092, dating violence as defined in 34 USC 12291, domestic violence as defined in 34 USC 12291, or "stalking" as defined in 34 USC 12291.

Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School Board's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School Board shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the School Board to provide the supportive measures. The Title IX Coordinator shall be responsible for coordinating the effective implementation of supportive measures.

COVERAGE

This policy applies to all students, employees and non-employee volunteers, to the elected members of the School Board, and to all students of the Terrebonne Parish School District. It applies at school, and locations, events, or circumstances over which the School Board has exercised substantial control over both the respondent and the context in which sexual harassment occurs.

TITLE IX COORDINATOR

The Superintendent shall designate and authorize a "Title IX Coordinator" to coordinate the Terrebonne Parish School Board's efforts to comply with Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations. The Title IX Coordinator shall undergo and receive all training required by Part 106 of Title 34 of the United States Code of Federal Regulations. The name, office address, electronic mail address, and telephone number of the Title IX Coordinator shall be published as required by Part 106 of Title 34 of the United States Code of Federal Regulations.

RESPONSE TO SEXUAL HARASSMENT

If the Terrebonne Parish School Board has actual knowledge of sexual harassment in an education program or activity, then the Title IX Coordinator shall be informed

and the Title IX Coordinator shall offer supportive measures and follow the grievance procedures adopted pursuant to this policy.

The Superintendent and/or the Title IX Coordinator shall develop and maintain a Title IX Grievance Procedure that complies with 34 CFR §106.45, including investigation of any incident of which it has actual knowledge. The Title IX Grievance Procedure shall include the procedures to appeal any determination regarding sexual harassment under Title IX.

Nothing shall preclude the School Board from removing a respondent from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines an immediate threat to the physical health or safety of a complainant, student, or other individual arising from the allegations of sexual harassment justifies immediate removal. Neither shall the School Board be precluded from placing a non-student employee respondent on administrative leave during the pendency of the grievance process developed according to this policy. In both such instances, the respondent shall be provided with notice and an opportunity to challenge the decision contemporaneously with or immediately following the removal. This provision shall not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act or regulations promulgated thereunder.

TITLE IX RECORDKEEPING

The Terrebonne Parish School Board shall retain for a period of seven (7) years records of each sexual harassment investigation including any determination regarding responsibility, any appeal and the result therefrom, any informal resolution and the result therefrom, and all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. For any response to actual knowledge of sexual harassment, the Title IX Coordinator shall create and maintain for a period of seven (7) years, records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the Title IX Coordinator shall document the basis for a conclusion that its response was not deliberately indifferent and document the measures designed to restore or preserve equal access to the School Board's education program or activity. If no supportive measures were provided to a complainant, then the Title IX Coordinator shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

NONRETALIATION

Neither the Terrebonne Parish School Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or Part 106 of Title 34 of the United States Code of Federal Regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including charges against an individual for other policy violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or Part 106 of Title 34 of the United States Code of Federal Regulations, constitutes retaliation.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited by this policy. Charging an individual with a policy violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute

retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

CONFIDENTIALITY

The Terrebonne Parish School Board shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 USC 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination as set forth in this policy.

SUSPECTED CHILD ABUSE

If the victim of the alleged sexual harassment is a minor student and if the alleged harassment falls within the definition of abuse as found in School Board policy H-4.5, Child Abuse, then all school employees with knowledge shall be considered mandatory reporters and the allegations must be reported to child protection or law enforcement as provided by state law and School Board policy. Such reporting shall be made in addition to any procedures for handling sexual harassment complaints.

New policy: July 2020

Ref: 42 USC 2000e (Civil Rights-Definitions); 29 CFR 1604.11 (Guidelines on Discrimination Because of Sex-Sexual Harassment); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 17:81; Board minutes, 8-4-20.

Motion of Mr. Hamner, seconded by Mr. Voisin, unanimously carried, the Board approved, as presented, the following new policy File: H-3.1b Sexually Related Student Misconduct:

NEW POLICY

FILE: H-3.1b
Cf: F-4.1, H-1.1
Cf: H-3.3h, H-4.5

SEXUALLY RELATED STUDENT MISCONDUCT

The Terrebonne Parish School Board disapproves of and does not tolerate sexual misconduct by employees to students, by students to employees, or by one student to another student. No employee or student, either male or female, should be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Sexual misconduct does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, and therefore interferes with the purposes of the employee and/or student in the academic, extracurricular, and co-curricular atmosphere, but that does not rise to the level of sexual misconduct as defined by Title IX and Part 106 of Title 34 of the United States Code of Federal Regulations. Sexual misconduct includes any type of sexually coercive conduct, including, but not limited to, threats, comments, jokes or overtures of a sexual nature.

COVERAGE

This policy applies to all employees and volunteers, to the elected members of the School Board, and to all students of the Terrebonne Parish School District. It applies

at school, school sponsored events on or off school grounds, and in situations which are related to operations of the school.

COMPLAINT PROCEDURE

Complaints of sexual misconduct which take place at school or at a school related function or arising out of the school setting should be made to the principal of the school or other designated administrative personnel. Should the claim of sexual misconduct be brought against the principal of the school, the complaint should be brought directly to the Supervisor of Child Welfare and Attendance or his/her designee or the Title IX Coordinator. The complaint need not be in writing, but students are encouraged to do so. Such reports should include the nature of the complaint, recording the specific act or acts which constitute the misconduct complained of, the person or persons who the complainant alleges committed the misconduct, witnesses to the acts complained of, and the date and time of the alleged act or acts.

After notification of the complaint, a confidential investigation shall immediately be initiated by the Superintendent or his/her designee to gather all facts about the complaint. The investigation may use some or all of the investigation procedures outlined in policy H-3.3h, *Bullying and Hazing*.

After the investigation has been completed, a determination shall be made regarding the resolution of the complaint. If warranted, disciplinary action shall be taken up to and including involuntary termination of an employee and/or expulsion of a student. Any disciplinary action regarding an employee shall be placed in the employee's personnel file which shall reflect the action taken and the grounds therefor. Any disciplinary action taken in regard to a student shall be maintained as any other student disciplinary violation.

NONRETALIATION

Retaliation against any employee or student who brings sexual misconduct charges or who assists in investigating such charges shall be prohibited. Any employee or student bringing a sexual misconduct complaint or assisting in the investigation of such a complaint shall not be adversely affected, discriminated against or punished because of the complaint.

SUSPECTED CHILD ABUSE

If the victim of the alleged sexual misconduct is a minor student and if the alleged misconduct falls within the definition of *abuse* as found in School Board policy H-4.5, *Child Abuse*, then all school employees with knowledge shall be considered *mandatory reporters* and the allegations shall be reported to child protection or law enforcement as provided by state law and School Board policy. Such reporting shall be made in addition to any procedures for handling sexual misconduct complaints.

New policy: July 2020

Ref: 42 USC 2000e (*Civil Rights-Definitions*); 29 CFR 1604.11 (*Guidelines on Discrimination Because of Sex-Sexual Misconduct*); La. Rev. Stat. Ann. §§14:41, 14:42, 14:42.1, 17:81; Board minutes, 8-4-20.

Motion of Mr. DeHart, seconded by Mr. Voisin, unanimously carried, the Board approved, as presented, the revised Pupil Progression Plan for the 2020-2021 school year.

The report of the Education, Technology, and Policy Committee meeting was concluded, and President Benoit reassumed the Chair and presided for the remainder of the proceedings.

The Executive Committee report was then presented to the Board.

Motion of Mrs. Solet, seconded by Mr. LaGarde, unanimously carried, the Board received the following Executive Committee report in its entirety:

Dear Members of the Board:

The **Executive Committee** met immediately following the 5:00 P.M. Public Hearing and Special School Board Meeting; the Buildings, Food Service, and Transportation Committee; and the Finance, Insurance, and Section 16 Lands Committee meetings on Tuesday, July 21, 2020, in the Board Room of the School Board Office with the following members present: Mrs. Debi Benoit, president, Mrs. Stacy Solet, vice president, and Mr. Michael LaGarde. Also in attendance were Mr. Dane Voisin, Dr. MayBelle Trahan, Mr. Roger Dale DeHart, Mr. Matthew Ford, Mr. Clyde Hamner, Mr. Gregory Harding, Superintendent Philip Martin, and Mrs. Rebecca Breaux.

Board president Benoit called the meeting to order.

The Executive Committee examined and authorized payment of invoices for the current month (including supplemental payroll and travel expenses).

There were no Committee member concerns.

There being no further business to come before the **Executive Committee**, the meeting was adjourned at 6:18 P.M.

Respectfully submitted,

Debi Benoit, President

Stacy Solet, Vice President

Michael LaGarde

RB/bp

The Executive Committee report was concluded.

Motion of Mr. DeHart, seconded by Mr. Ford, unanimously carried, the Board approved a request from Mr. Tim Soignet, Terrebonne Parish Sheriff, for five (5) buses to be declared as surplus, with said buses to be donated to the Terrebonne Parish Sheriff's Office, and further, authorized the Superintendent/designee to execute the donation of said buses to the Terrebonne Parish Sheriff's Office.

Ms. Triggs addressed the Board in opposition to the foregoing motion.

At this time, Superintendent Philip Martin presented the following personnel actions for the period of May 29, 2020, through July 24 2020 [list of professional instructional and non-instructional/support personnel (contract renewals, appointments, resignations, and retirements – Information Only)]:

Contract Renewal - Professional Supervisory/Administrative Personnel

Name	Position	Location	Period
BLANCHARD, ALESIA	STAFF DEV COOR	WEST PARK ANNEX - FEDERAL	JULY 1, 2020 - JUNE 30, 2022
BREAUX, MONICA	PRIN ELEM 801+	ACADIAN ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
CAMPBELL, JOHN	PRIN MIDDLE 351-600	GRAND CAILLOU MIDDLE	JULY 1, 2020 - JUNE 30, 2022
CAMPBELL, LACEST	PRIN ELEM 1-350	GIBSON ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
CARTER, TORREY	PRIN MIDDLE 601-800	OAKLAWN JUNIOR HIGH	JULY 1, 2020 - JUNE 30, 2022
CORBIN, JASON	PRIN JR HIGH SCHOOL	HOUMA JUNIOR HIGH	JULY 1, 2020 - JUNE 30, 2022
COURVILLE, CHRISTINE	ASSTPRIN MID 601-800	OAKLAWN JUNIOR HIGH	JULY 1, 2020 - JUNE 30, 2022
DILLARD, DARRELL	PRIN HIGH SCHOOL	ELLENDER MEMORIAL HIGH	JULY 1, 2020 - JUNE 30, 2022
EDMONDS, MELANIE	PRIN ELEM 351-600	HONDURAS ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
FOUNTAIN, KENNETH	ASST PRIN HIGH SCH	SOUTH TERREBONNE HIGH	JULY 1, 2020 - JUNE 30, 2022
GAUTREAU, JULIETTE	ASST PRIN JR HIGH	EVERGREEN JUNIOR HIGH	JULY 1, 2020 - JUNE 30, 2022
GRANT, MARKITA	ASST PRIN HIGH SCH	ELLENDER MEMORIAL HIGH	JULY 1, 2020 - JUNE 30, 2022
HOLMES, LISA	ASST PRIN JR HIGH	EVERGREEN JUNIOR HIGH	JULY 1, 2020 - JUNE 30, 2022
JOHNSON, ALTON	CWA SUPERVISOR	CENTRAL OFFICE	JULY 1, 2020 - JUNE 30, 2022
JOSEPH, DEANNA	ASST PRIN JR HIGH	HOUMA JUNIOR HIGH	JULY 1, 2020 - JUNE 30, 2022
LEBLANC, TEREZ	PRIN ELEM 351-600	VILLAGE EAST ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
PELLEGRIN, BLAISE	PRIN HIGH SCHOOL	SOUTH TERREBONNE HIGH	JULY 1, 2020 - JUNE 30, 2022
ROBINSON, CHRISTINA	ASST PRIN ELEM 1-350	VILLAGE EAST ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
RODRIGUE, ANDREA	PRIN ELEM 1-350	MONTEGUT ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
SALTER, TOMMY	PRINCIPAL ALT SCHOOL	EAST STREET	JULY 1, 2020 - JUNE 30, 2022
SCOTT, JESSICA	ASSTPRIN MID 351-600	GRAND CAILLOU MIDDLE	JULY 1, 2020 - JUNE 30, 2022
SIMMONS, WILLIAM	PRIN CAREER & TECH	TERRE CAREER AND TECH HIGH	JULY 1, 2020 - JUNE 30, 2022
SMITH, KANIKA	PRIN LWR ELEM (PK-3)	SOUTHDOWN ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
SOILEAU, MELISSA	PRIN ELEM 601-800	BROADMOOR ELEMENTARY	JULY 1, 2020 - JUNE 30, 2022
STARR, RICHARD	ASST PRIN HIGH SCH	H L BOURGEOIS HIGH	JULY 1, 2020 - JUNE 30, 2022
THIBODEAUX, MARK	PRIN MIDDLE 351-600	LACACHE MIDDLE	JULY 1, 2020 - JUNE 30, 2022
TORBERT, MARK	SECONDARY ED SPVR	CENTRAL OFFICE	JULY 1, 2020 - JUNE 30, 2022

Contract Renewal - Curriculum Specialists

Name	Position	Location	Period
BOUDWIN, DARLENE	ENGLISH CURR SPEC	CENTRAL OFFICE	JULY 1, 2020 - JUNE 30, 2022
COTTEN, NATHAN	STEM COORDINATOR	CENTRAL OFFICE	JULY 1, 2020 - JUNE 30, 2022

New Employees - Non-Instructional Personnel

Name	Position	Location	Effective Date
FANGUY, SHEA	SECRETARY II	WEST PARK ANNEX SP ED	07/01/20
GLYNN, HARRY	ROOFER	MAINTENANCE	07/01/20
LAJAUNIE, AMBER	SECRETARY II	WEST PARK ANNEX SP ED	07/01/20
PARRIA, THERESA	SECRETARY II	WEST PARK ANNEX - FEDERAL	07/01/20

Resignations - Professional Instructional Personnel

Name	Position	Certification	Location	Term Code	Term Date
DETIVEAUX, EVETTE	SECONDARY TEACHER	CS	TERREBONNE HIGH	Resigned	05/29/20
FABRE, RACHEL	ELEM 1-8 TEACHER	Certified	OAKLAWN JUNIOR HIGH	Resigned	05/29/20
JENSEN, ASHLEY	ELEM 1-8 TEACHER	Certified	ACADIAN ELEMENTARY	Resigned	05/29/20
LEBOEUF, KATIE	MM INCLUSION TCHR	Certified	ELLENDER MEMORIAL HIGH	Resigned	05/29/20
THIBODEAUX, KATHERINE	ELEMENTARY 1-8 TEACHER	Certified	LISA PARK ELEMENTARY	Resigned	05/29/20
VEAL, LEON	MM INCLUSION TCHR	Degreed/Non-Certified	HOUMA JUNIOR HIGH	Resigned	05/29/20
WASHINGTON, MARCUS	ELEM COMP LAB TCHR	Practitioner	GRAND CAILLOU MIDDLE	Resigned	05/29/20

Resignations - Non-Instructional Personnel

Name	Position	Location	Term Code	Term Date
LEBOEUF, BERNICE	CUSTODIAN II	LACACHE MIDDLE	Resigned	07/23/20
LEWIS, YANNA	SPECIAL ED PARA	OAKLAWN JUNIOR HIGH	Resigned	05/29/20

Retirements - Professional Instructional Personnel

Name	Position	Service Years	Location	Term Code	Term Date
BROUSSARD, KEN	ELEM 1-8 TEACHER	22.97 YEARS	GRAND CAILLOU MIDDLE	Disability Retirement	05/29/20

Retirements - Non-Instructional Personnel

Name	Position	Service Years	Location	Term Code	Term Date
CALLAHAN, ELIZABETH	CUSTODIAN I	17.72 YEARS	MAINTENANCE	Service Retirement	06/30/20
RIXNER, ANGELA	CUSTODIAN III-A 12M	17.48 YEARS	ACADIAN ELEMENTARY	Service Retirement	06/30/20

At this time, Mr. Hamner stated that the Legislature was in recess and had no legislative update to report.

Motion of Mr. Ford, seconded by Mr. Harding, unanimously carried, the Board deviated from the regular order of the agenda to take up Agenda Item 7. Citizen Concern and allowed Ms. Wanda R. Triggs to address the Board relative to "Immediate formation of a Parent/Teacher Committee to give input and consideration to policy," at this time.

Motion of Mr. Harding, seconded by Mr. LaGarde, unanimously carried, the Board deviated from the regular order of the agenda and allowed Mallory Solet, Ellender Memorial High School student, to address the Board regarding "Honor Students and Virtual Learning."

Ms. Kathryn Richard, Board attorney, addressed the Board regarding the foregoing motion.

The Board then returned to the regular order of the agenda.

Motion of Mr. Voisin, seconded by Mr. LaGarde, unanimously carried, the Board voted to adjourn its meeting **(6:46 P.M.)**.

/s/ Philip Martin, Secretary

/s/ Debi Benoit, President

RLB