



Lincoln Parish School Board



410 South Farmerville Street
Ruston, Louisiana 71270-4699
Fax: 318-255-3203
Phone: 318-255-1430
Website: www.lincolnschools.org

Danny L. Bell
Superintendent

Otha L. Anders
President

MEMO

TO: Lincoln Parish School Board

FROM:  Danny L. Bell, Superintendent
 George Murphy, Business Manager

DATE: June 23, 2014

SUBJECT: Lawsuit Participation Resolutions and Contingency Fee Agreement and Power of Attorney

Background

As you will recall, you approved a Resolution and Contingency Fee Agreement and Power of Attorney authorizing litigation against the State in connection with its failure to fund the 2.75% increase called for in the 2012-13 MFP. That Resolution provided that the attorneys handling the case on behalf of the board would be compensated in accordance with a contingency fee agreement. Those documents were submitted to the Attorney General for approval.

The Office of the Attorney General has refused to approve them because the Contingency Fee Agreement was an attachment *to* the Resolution of the board rather than *within* the Resolution itself. Although this seems to be a silly distinction, we have little alternative other than to ask for the adoption of a new Resolution.

Bob Hammonds, one of our attorneys, sent two new Resolutions which are different from the previous Resolution in two ways. First, they include the specific Contingency Fee Arrangement within the Resolution itself. Secondly, they authorize our attorneys to seek the 2.75% increase for the 2013-14 school year as well.

In respect to this issue, we continue to feel that based on a local obligation clearly stated in our employment contracts and in our positions within the Lincoln Parish School District to provide for and seek appropriate funding to support the education of children in the Lincoln Parish School District, we, too, must support acquiring and protecting all funds whether they be Constitutionally approved, State approved, or locally approved to properly educate children living in Lincoln Parish.

Recommendations

- 1) Board to adopt the Resolution for the Minimum Foundation Program litigation for Fiscal Year 2012-13;
- 2) Board to adopt the Resolution for the Minimum Foundation program litigation for Fiscal Year 2013-2014;
- 3) Board to agree to the terms of the Contingency Fee Agreement and Power of Attorney; and
- 4) Board to grant the board President and Secretary the authority to sign on behalf of the Lincoln Parish School Board the above-mentioned documents supporting the litigation relative to restoring the loss in State MFP funding of public schools as a result of eliminating the 2.75% growth factor.

Contact Persons

Danny Bell
George Murphy