TENTH JUDICIAL DISTRICT COURT FOR THE PARISH OF NATCHITOCHES
STATE OF LOUISIANA

DONALD C. HODGE, JR. VERSUS BOARD OF DIRECTORS OF THE LOUISIANA SCHOOL FOR MATH, SCIENCE, AND THE ARTS; and REPRESENTATIVE BERYL AMEDEE; DR. SUSANNAH CRAIG; DR. MISTY DAVIS; JARED R. DUNAHOE; DR. VICKIE S. GENTRY; DR. GREG HANDEL; KIRBY HOPKINS; NIKKI LANDRY; DR. WILLIAM B. LUSTER; WILLIAM C. NEW; REPRESENTATIVE CHARLES A. OWEN; REGINA B. PIERCE; DR. KYLE STEPHENS; CAROLYN WILKINSON; DR. ARTHUR S. WILLIAMS, each individually	NUMBER: C-96869 A DIVISION: JUDGE: Natchitoches Filed Nov 13, 2026 4:05 PM Danielle Queen Deputy Clerk of Court E-File Received Nov 13, 2026 3:53 PM

PETITION FOR ENFORCEMENT OF THE OPEN MEETINGS LAW, FOR DECLARATORY, INJUNCTIVE, AND MANDAMUS RELIEF, FOR CIVIL PENALTIES, AND FOR ATTORNEY FEES

(La. Const. art. XII, § 3; La. R.S. 42:14, 42:19, and 42:24 through 42:28; to be tried by preference and in a summary manner)

The petition of Donald C. Hodge, Jr., a person of the full age of majority, a graduate of the Louisiana School for Math, Science, and the Arts, Class of 1998, and a member of the Louisiana bar, appearing in proper person, respectfully represents:

I. NATURE OF THE PETITION

1. On September 14, 2026, five days after the Louisiana State Police arrested the school's former Senior Director for External Affairs on charges of sexual offenses against juveniles, the Board of Directors of the Louisiana School for Math, Science, and the Arts added an item to its agenda without the public comment the law requires, and then, again without public comment, voted to direct the issuance of a press release telling the public, the school's alumni, and its parents that the school's officials had reported the allegations to law enforcement in 2020 and that the Board "should be proud of what we did." Petitioner, who attended the meeting by the Board's video connection and had asked every member in writing the day before

to be heard on exactly that motion, was never called. The statement the Board approved was released the next day over the signature of the school's Executive Director. It is contradicted by the records of every public agency it names.

2. On November 9, 2026, four days before the sixty day period of La. R.S. 42:24 and 42:28 was to expire, the Board met in special session and voted to rescind its action of September 14, 2026. Its Chair told the Board that the motion was offered because of the Board's "failure to allow public comment prior to the vote," and the member who had made the September 14 motion moved to rescind it "for failure to ... request public comment." The Board then adjourned. It did not withdraw, correct, or mention the statement it had published. It did not place the matter on any future agenda. Asked from the floor whether the rescission undid anything, since "the statement was already made and published," the Board's counsel answered that the question did not require a response.

3. The Board has therefore admitted the violation, kept its product, and declined to give the public the hearing the law required. A public body cannot cure a failure to hear the public by voting, again without committing to hear the public, to erase the vote while leaving standing what the vote produced. Petitioner brings this petition so that the violation is declared; so that the matter the Board decided without hearing the public is placed on the agenda of its December 7, 2026 meeting and heard, in public, before the Board speaks on it again; so that the statement is no longer held out as the action of a Board whose only vote to authorize it has been rescinded as unlawful; and so that the members who knowingly and willfully participated answer for it as La. R.S. 42:28 provides.

II. PARTIES, JURISDICTION, AND VENUE

4. Petitioner is Donald C. Hodge, Jr., a person of the full age of majority and a practicing attorney licensed in the State of Louisiana (Bar Roll No. 29251), domiciled in the State of Louisiana, who maintains residences in Louisiana and in Colorado and receives mail at Post Office Box 985, Buena Vista, Colorado 81211, and who attended the Board's meeting of September 14, 2026 by the Board's Microsoft Teams connection, and whose attendance is recorded in the Board's own transcription of that meeting as "Donald Hodge (attended via Teams)." He is a person who has been denied a right conferred by the Open Meetings Law within La. R.S. 42:25, and he sues in his own right. He is also counsel for former students of the

school who have claims arising from the matters the Board discussed, and he brings this petition individually and not on their behalf.

5. Defendant Board of Directors of the Louisiana School for Math, Science, and the Arts (the "Board") is the governing body of the school, created by La. R.S. 17:1963 and 17:1964, placed within the Department of Education by La. R.S. 36:651(C)(9), and a "public body" within La. R.S. 42:13(A)(3). It meets at 715 University Parkway, Natchitoches, Louisiana 71457. Its Chair is Dr. Vickie S. Gentry and its Secretary is Executive Director Dr. Jason Anderson.

6. Defendants named individually are the members of the Board who participated in the votes of September 14, 2026 described below, each of whom is a person against whom La. R.S. 42:28 authorizes a civil penalty, payable personally, for knowing and willful participation in a meeting conducted in violation of the Open Meetings Law:

> Representative Beryl Amedee, House Committee on Education appointee;
> Dr. Susannah Craig, Designee of the Commissioner of Higher Education;
> Dr. Misty Davis, Designee of the State Superintendent of Education;
> Jared R. Dunahoe, Gubernatorial appointee;
> Dr. Vickie S. Gentry, Chair; gubernatorial appointee;
> Dr. Greg Handel, Vice Chair;
> Kirby Hopkins, President, LSMSA Alumni Association;
> Nikki Landry, Designee of the State Superintendent of Education;
> Dr. William B. Luster, Gubernatorial appointee;
> William C. New, Gubernatorial appointee;
> Representative Charles A. Owen, House Committee on Education appointee;
> Regina B. Pierce, Designee of the State Superintendent of Education;
> Dr. Kyle Stephens, Faculty Representative;
> Carolyn Wilkinson, Louisiana Department of Education;
> Dr. Arthur S. Williams, Gubernatorial appointee;

7. The Board's transcription lists fourteen of those members as present. It does not list Regina B. Pierce as present or absent, but records that she pinned a new member at the opening of the meeting, seconded three motions on earlier agenda items, spoke during the discussion of the added item, urged an immediate vote, and was a co-second of the motion to issue the press release. Petitioner names her on the strength of that record. The transcription records each roll call on the added item only as having "passed unanimously" and does not record the departure of any member before those votes; Petitioner will conform the petition to

the minutes and the recording when produced. No member the transcription lists as absent is named. Kirby Hopkins is domiciled in the State of Texas; he holds a seat on a board of the State of Louisiana, attended and voted at the meeting in Natchitoches Parish, and is subject to the jurisdiction of this Court under La. R.S. 13:3201. Board members Thomas J. Byler and Tana Luther are recorded as attending by video without counting toward quorum and without a vote, and are not named.

8. This Court has jurisdiction, and venue is proper under La. R.S. 42:27, because the meetings were held in Natchitoches Parish. This petition is filed within sixty days of September 14, 2026, as La. R.S. 42:24 and 42:28 require. Enforcement proceedings under the Open Meetings Law are to be tried by preference and in a summary manner, La. R.S. 42:27, and Petitioner so moves.

9. Every claim in this petition arises under the Constitution and laws of the State of Louisiana. Petitioner asserts no claim under federal law in this proceeding.

III. THE LAW, IN THE WORDS OF THE STATUTES

10. Petitioner sets out the governing provisions word for word, because each form of relief he seeks, primary and alternative, rests on the text.

11. La. Const. art. XII, § 3:

> "No person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law."

12. La. R.S. 42:12(A), public policy and liberal construction:

> "It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy. Toward this end, the provisions of this Chapter shall be construed liberally."

13. La. R.S. 42:14(A) and (D), open meetings and public comment:

> "A. Every meeting of any public body shall be open to the public unless closed pursuant to R.S. 42:16, 17, or 18."
>
> "D. Except school boards, which shall be subject to R.S. 42:15, each public body conducting a meeting which is subject to the notice requirements of R.S. 42:19(A) shall allow a public comment period at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. The

governing body may adopt reasonable rules and restrictions regarding such comment period."

14. La. R.S. 42:19(A)(1)(b)(ii)(bb) and (cc), agenda items and matters not on the agenda:

> "(bb) Each item on the agenda shall be listed separately and described with reasonable specificity. Before the public body may take any action on an item, the presiding officer or his designee shall read aloud the description of the item except as otherwise provided in Subitem (dd) of this Item."
>
> "(cc) Upon unanimous approval of the members present at a meeting of a public body, the public body may take up a matter not on the agenda. Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. Prior to any vote on the motion to take up a matter not on the agenda by the public body, there shall be an opportunity for public comment on any such motion in accordance with R.S. 42:14 or 15. The public body shall not use its authority to take up a matter not on the agenda as a subterfuge to defeat the purposes of this Chapter."

15. La. R.S. 42:24, voidability:

> "Any action taken in violation of this Chapter shall be voidable by a court of competent jurisdiction. A suit to void any action must be commenced within sixty days of the action."

16. La. R.S. 42:25(C), who may sue:

> "C. Any person who has been denied any right conferred by the provisions of this Chapter or who has reason to believe that the provisions of this Chapter have been violated may institute enforcement proceedings."

17. La. R.S. 42:26, remedies:

> "A. In any enforcement proceeding the plaintiff may seek and the court may grant any or all of the following forms of relief: (1) A writ of mandamus. (2) Injunctive relief. (3) Declaratory judgment. (4) Judgment rendering the action void as provided in R.S. 42:24. (5) Judgment awarding civil penalties as provided in R.S. 42:28."
>
> "B. In any enforcement proceeding the court has jurisdiction and authority to issue all necessary orders to require compliance with, or to prevent noncompliance with, or to declare the rights of parties under the provisions of this Chapter. Any noncompliance with the orders of the court may be punished as contempt of court."

> "C. If a party who brings an enforcement proceeding pursuant to R.S. 42:25 prevails, the party shall be awarded reasonable attorney fees and other costs of litigation. If such party prevails in part, the court may award the party reasonable attorney fees or an appropriate portion thereof."
>
> "D. If the court finds that the proceeding was of a frivolous nature and was brought with no substantial justification, it may award reasonable attorney fees to the prevailing party."

18. La. R.S. 42:27, venue and summary proceedings:

> "A. Enforcement proceedings shall be instituted in the district court for the parish in which the meeting took place or will take place."
>
> "B. Enforcement proceedings shall be tried by preference and in a summary manner. Any appellate court to which the proceeding is brought shall place it on its preferential docket, shall hear it without delay, and shall render a decision as soon as practicable."

19. La. R.S. 42:28, civil penalties:

> "Any member of a public body who knowingly and wilfully participates in a meeting conducted in violation of this Chapter shall be subject to a civil penalty not to exceed five hundred dollars per violation. The member shall be personally liable for the payment of such penalty. A suit to collect such penalty must be instituted within sixty days of the violation."

20. The Third Circuit has held that action taken in violation of the Open Meetings Law is voidable and not absolutely null, and that the public body "is entitled to reconsider the matter at a later meeting and either ratify or rescind" it, by "proper action taken at a subsequent meeting held in compliance with the law." Wagner v. Beauregard Parish Police Jury, 525 So. 2d 166, 170 (La. App. 3 Cir. 1988) (quoting Delta Development Co. v. Plaquemines Parish Commission Council, 451 So. 2d 134 (La. App. 4 Cir. 1984)); Marien v. Rapides Parish Police Jury, 98-77 (La. App. 3 Cir. 6/17/98), 717 So. 2d 1187 (later ratification at a compliant meeting "cured that problem"). The purpose of the law "is to protect citizens from secret decisions made without any opportunity for public input." Wagner, 525 So. 2d at 169.

IV. THE MEETING OF SEPTEMBER 14, 2026

21. On September 9, 2026, the Louisiana State Police arrested Anthony Thorn Lacaze, the school's former Senior Director for External Affairs and the director of its residential summer camp for children in grades six through eight, on charges of sexual offenses against juveniles. On November 6, 2026, the District Attorney charged him by Bill of Information in

State v. Anthony Thorn Lacaze, No. C37057-B, Tenth Judicial District Court. He is presumed innocent. On the day of the arrest, every member of the Board received Petitioner's written demand that the Board preserve its records concerning him.

22. On September 13, 2026, Petitioner sent every member of the Board a written request that the Board amend the agenda of its September 14 meeting to take up its response to the arrest, with a proposed resolution attached, and asked, citing La. R.S. 42:19(A)(1)(b)(ii)(cc), that the public be afforded comment on the motion to amend before the vote. (Exhibit A.)

23. The posted agenda for September 14, 2026 contained no item concerning Mr. Lacaze. The meeting began at 2:08 p.m. Petitioner attended by the Microsoft Teams connection the Board provided, as the Board's transcription records. (Exhibit B.)

24. At "Agenda Item 13: Other Business," Dr. Arthur S. Williams moved "to amend the agenda to discuss the results of the Executive Committee session, which took place on June 24, 2020," seconded by Jared R. Dunahoe. Asked what the motion concerned, Dr. Williams said that "[t]hose actions have been called into question recently, so we want to affirm what actually took place." Mr. Dunahoe asked the members "to vote to amend the agenda, approve Dr. Art's motion, and then we can get into a more detailed discussion." The transcription records: "Roll Call vote was taken to Amend the Agenda to discuss what was talked about during the Executive Committee's from June 24, 2020, and passed unanimously." No opportunity for public comment on the motion was offered before that vote. (Exhibit B.)

25. Mr. Dunahoe, who by his own account had made the June 24, 2020 Executive Committee motion he was now presenting, then told the Board that "[t]he school should and the board should be very proud about how we handled this situation"; that the day after the June 24, 2020 Executive Committee meeting, "Dr. Horton and Ms. Gahagan met with the district attorney and sheriff and informed them of the allegations"; that on September 15, 2020 "[a]ll documents, the complete files were provided to the district attorney and to the sheriff, which was then passed on to the Louisiana State Police"; that Dr. Horton and Ms. Gahagan "complied with the law"; and that "I don't know what else we could have been expected to do." (Exhibit B.)

26. Mr. Dunahoe then moved "that the board authorize and instruct Dr. Anderson to prepare a press release setting forth the timeline and the actions taken by Dr. Horton and this board regarding Thorn Lacaze," to be provided "to any press operation that asks for it" and to

"all the alumni and parents," stating: "We should be proud of what we did and how we handled it." Regina B. Pierce and Dr. Kyle Stephens are recorded as co-seconds. (Exhibit B.)

27. Before that vote, the following was said. When Dr. William B. Luster suggested that the statement include "some verbiage about investigating him and potential others who may or may not be out there," a voice answered: "We're not investigating anyone." When Dr. Misty Davis asked whether there had been "any adjustments to policy as a result," Mr. Dunahoe answered: "No, because the Title IX was not completed because it's required to terminate when he resigned." Ms. Pierce urged that the statement issue "ASAP, because this is going to affect the enrollment of this institution," and said that "nothing should be said in the public about this meeting." (Exhibit B.)

28. No public comment period was announced on the motion to issue the press release. One guest physically present in the room, at a member's prompting, was permitted to ask a single question. The Board's counsel then advised the Chair to have that person identify himself "based on the fact that you allowed for the public comment during this." No one attending by the Board's video connection, including Petitioner, was offered the opportunity to comment, and no one was asked whether any other member of the public wished to be heard. The transcription records: "A Roll Call vote was taken, unanimously passed." (Exhibit B.)

29. When that vote was taken, Petitioner held, and was prepared to present to the Board, the written certification of the Natchitoches Parish Sheriff's Office dated September 10, 2026 that it was "unable to locate any records" concerning Mr. Lacaze. (Exhibit G-1.) Had the Board allowed the public comment the law required, it would have been told, before it voted to announce that the allegations had been reported to the Sheriff, that the Sheriff had certified four days earlier that he had no record of any such report.

30. On September 15, 2026, the school released the statement over the signature of Executive Director Dr. Jason Anderson (the "Statement"). (Exhibit C.) Dr. Anderson was himself a voting member of the Board, as its faculty representative, when the Board received the former Executive Director's report on the matter in executive session on September 28, 2020. (Exhibit G-5.) On or about the day the Statement issued, the school deleted from its official social media account a graduate's comment stating that the school had known of reports about Mr. Lacaze, and disabled further comment.

31. On September 16, 2026, Petitioner served every member of the Board with written notice of the violations and a demand that they be cured within ten days. (Exhibit D.) No member responded to it.[1]

V. THE SPECIAL MEETING OF NOVEMBER 9, 2026

32. At 10:24 a.m. Central time on Friday, November 6, 2026, the Board gave notice of a special meeting for Monday, November 9, 2026 at 11:00 a.m., whose only substantive item was: "Consider motion to rescind in its entirety the action of the LSMSA Board of September 14, 2026 regarding 'Agenda Item 13: Other Business,' such item relating to a former employee and having been added to that agenda by unanimous vote of the Board." The notice said nothing about the Statement and nothing about placing the matter on any future agenda. (Exhibit F.)

33. The same day, Petitioner wrote to the Board through its counsel, with copies to the Chair and the Executive Director, that rescission alone would not cure the violations, because it would leave the Statement published and uncorrected, and asked the Board to confirm in writing by 5:00 p.m. on November 12, 2026 that it would place its response to the arrest and the Statement on the posted agenda of its December 7, 2026 meeting, afford public comment before any vote including to persons attending by video, and attach written comments to the minutes. The Board gave no such confirmation.

34. Petitioner attended the November 9 meeting by the Board's Teams connection, having asked in writing beforehand to do so, and made a recording of it, which he will offer at the hearing. The Board has acknowledged his public records request for its own recording. This time the Board held a public comment period before it voted. Petitioner and a second graduate each asked the Board to retract and correct the Statement and to commit on the record to placing the matter on its December agenda for public comment, including comment from survivors.

35. The Chair then read a prepared statement. She said that on September 14 "the Board amended its agenda to address the recent arrest of a former Louisiana School staff member"; that the release of the Statement "was authorized"; that afterward "a member of the

---

1 After the demand of September 16, 2026, Petitioner and the Board, through its counsel, engaged in negotiations to resolve this matter without suit, and the parties came near an agreement. Petitioner refers to those negotiations only to show that this petition follows a good faith attempt to resolve the matter, and not to prove liability for, or the invalidity of, any claim. La. C.E. art. 408. The written communications are not attached. Exhibit E, which was reserved for them, is withheld, and Petitioner will submit them for review in camera should the Court wish to make them part of the record.

public questioned the ... sufficiency of the procedure that the Board utilized and its failure to allow public comment prior to the vote"; and that "[t]o remedy the absence of the opportunity for public comment on that agenda item," she would entertain a motion to rescind the action in its entirety.

36. Mr. Dunahoe, who had made the September 14 motion, moved "to rescind that item for failure to ... request public comment." In the discussion one member said: "So we didn't have public comment. We just didn't offer it to the rest of the public." Another said: "[I]t seems to me that the Board acted on the basis of documented information that we had at that time." No member identified the documented information. No member moved to withdraw, correct, or re-examine the Statement.

37. The motion passed on a roll call of ten to none: Representative Amedee, Mr. Centanni, Dr. Davis, Mr. Dunahoe, Dr. Gentry, Dr. Handel, Dr. Luster, Ms. Pierce, Dr. Stephens, and Dr. Williams. Ten is the number La. R.S. 17:1964(E) fixes as a quorum of the twenty-four member Board. Fourteen members did not vote.

38. After the vote, a currently enrolled student, recognized by the Chair, observed that the rescission "seems like just a formality, because the motion originally was to direct the Executive Director to make a statement on what happened, and the statement was already made and published." The Board's counsel answered: "I don't believe that it requires a response. However, the item itself is to rescind the action based upon the absence of public comment being solicited." Asked whether the Board would make a second statement, the Chair answered: "We will discuss the matter. At this time, I'm not able to give you an answer." Counsel added that "the Board would consider what it will include on the agenda for the meeting scheduled to occur December 7th." The Board adjourned.

39. As of the filing of this petition, the Statement remains published. The Board has not withdrawn or corrected it, has not placed the matter on the agenda of its December 7, 2026 meeting, and has not said that it will.

VI. WHAT THE STATEMENT SAYS, AND WHAT THE PUBLIC RECORD SHOWS

40. The Board approved the Statement without hearing anyone who could tell it what the records show. Its central assertion, that the school's officials "formally reported" the allegations to law enforcement in June 2020 and so complied with the law, is false, or at the least

is contradicted by every record the agencies it names have been able to produce. No mandatory report was made. No report was made to the Department of Children and Family Services at any time. No report was logged by any law enforcement agency. Petitioner sets out here, so that it is part of the record of this Court, each material assertion made at the meeting or in the Statement, and the public record that answers it. Each record identified is attached as Exhibit G or is a public record in the custody of the agency named.

What the Board said or published	**What the public record shows**
The allegations were "formally reported" to the District Attorney and the Sheriff on June 25, 2020, at a meeting the day after the Executive Committee met.	On September 10, 2026, the Natchitoches Parish Sheriff's Office certified in writing that it was "unable to locate any records" concerning Mr. Lacaze from any source since 2005. On September 21, 2026, the same office wrote that a meeting "did occur, however there is no written record," and that as to any report from the school "there are no such records." The District Attorney's office holds no screening record, no charging decision, and no record of contact with any victim. No intake, case, or report number exists in either office.
On September 15, 2020, "[a]ll documents, the complete files were provided to the district attorney and to the sheriff."	On September 15, 2020, eighty-eight days after the first written report of June 19, 2020, and after Mr. Lacaze had resigned and, in Dr. Horton's words, "the investigations closed at that point," Dr. Horton sent a single email from his school account to the District Attorney at a personal email account. It was addressed in its salutation to "DA Harrington and Sheriff Wright" but was not sent to the Sheriff. The District Attorney's office has certified in writing that the email it holds "consisted of one page and no attachment."
The files were then "passed on to the Louisiana State Police."	The Louisiana State Police stated in its September 9, 2026 release that its investigation began in August 2026, on a new complaint. Asked whether any referral concerning Mr. Lacaze was received in 2019 through 2021, it refused to answer. The Sheriff's only account of a referral is that the State Police "verbally verified" it, and that there is no written record of it. No agency of the State has produced a record that any file concerning Mr. Lacaze was received by the State Police before 2026.
Dr. Horton and Mrs. Gahagan "complied with the law." As "mandatory reporters," they "didn't just go to some sheriff's deputy. They went and met with the DA."	Louisiana Children's Code arts. 609 and 610 require a mandatory reporter to report immediately to the Department of Children and Family Services or to a local or state law enforcement agency. A district attorney is not one of them. No report to the Department of Children and Family Services was ever made. The school is a residential school; the Attorney General has explained that the Children's Code excludes from the definition of caretaker only the employees of a nonresidential school, and has held that a policy routing an employee's report of abuse up a

	chain of command "does not comply with the law." Op. Att'y Gen. No. 24-0091 (July 9, 2024). On June 24, 2020, the Executive Committee's recorded instruction was to contact the District Attorney and the Office of Risk Management, the State's insurer, and not the Department of Children and Family Services.
The school "immediately" commenced an investigation, and the Title IX process "was required to terminate when he resigned."	The school's investigator issued a Final Investigative Report on August 6, 2020, and Dr. Horton wrote to a complainant on August 7, 2020 that the investigator disagreed with Mr. Lacaze's application of the facts. Dr. Horton, the decision maker, never made a determination. The federal regulation then in effect permitted, and did not require, dismissal of a complaint against a respondent no longer employed. 34 C.F.R. § 106.45(b)(3)(ii) (2020). No law required that the investigation end without a finding. While the investigation was open, on August 13, 2020, Mr. Lacaze applied to the Natchitoches Parish School Board; he began teaching children with exceptionalities there on August 24, 2020. The parish board has certified that it holds no record of any inquiry to, or disclosure from, the school.
The Statement presents June 2020 as the beginning of the school's knowledge.	The school's own Title IX file, produced in federal court in Barker v. Louisiana School for Math, Science and the Arts, No. 1:21-CV-04419 (W.D. La.), contains a written memorandum to the school's then Executive Director dated November 20, 2012, recording a fifteen-year-old student's account of Mr. Lacaze's conduct toward her, and a graduate's account of a 2012 telephone report to the same Executive Director. Neither appears in the Statement.
The Board "should be proud of what we did and how we handled it."	In the same federal action, on March 8, 2024, the court granted an adverse inference that Dr. Horton "instructed the LSMSA employees how they were to testify in their depositions," and found that the school's investigator destroyed her investigation notes with intent to deprive. On June 15, 2026, this Board conferred on Dr. Horton the title Executive Director Emeritus. On September 14, 2026, told that no one was investigating whether there were other victims, the Board approved the Statement without hearing from any survivor or any member of the public who attended by video.

41. The Statement offered no resource, contact, or word to any person who had been harmed. The rescission of November 9, 2026 did not withdraw it, correct it, or acknowledge any of the matters set out above. Unless the matter is placed on a future agenda, the Statement will remain the Board's last word to the public, adopted without the public comment the law required, and never re-examined with it.

VII. WHY THE VIOLATION AND THE STATEMENT ARE ONE EVENT

42. The Open Meetings Law requires public comment before a vote so that a public body acts with the benefit of what the public knows. This case shows why. The Board was told by one of its own members, who had made the 2020 motion he was describing, that the school had reported to law enforcement and complied with the law. No one in the room contradicted him, because the only people who could have done so were members of the public the Board did not hear. Petitioner was on the Board's video connection with the Sheriff's certification in hand. He had asked each member in writing, the day before, citing the statute, to be heard on precisely this motion.

43. The Statement is therefore the direct product of the violation. The Board did not merely take a procedurally defective vote on a matter of indifference; it used an unnoticed agenda item, closed to public comment, to adopt and publish an account of its own conduct that the public record contradicts, at the moment when survivors, parents, and the press were asking what the school had known. A member urged that the Statement issue "ASAP, because this is going to affect the enrollment of this institution," and that "nothing should be said in the public about this meeting." The absence of public comment was the condition that allowed the Statement to be adopted unchallenged.

44. For the same reason, rescinding the vote without revisiting the Statement leaves the violation's harm entirely in place. The public was denied the opportunity to be heard before the Board spoke. The Board has now withdrawn its vote and kept its speech.

VIII. CAUSES OF ACTION

45. First cause of action: La. R.S. 42:19(A)(1)(b)(ii)(cc). The vote of September 14, 2026 to take up a matter not on the posted agenda was taken without the opportunity for public comment on the motion that the statute makes a condition of the Board's authority to add the matter at all. The motion also did not identify the matter or its purpose with the reasonable specificity the statute requires: it described a discussion of "the results of the Executive Committee session" of 2020, and the Board then used it to approve a press release about a 2026 arrest. The statute forbids a public body to "use its authority to take up a matter not on the agenda as a subterfuge to defeat the purposes of this Chapter." Adding the subject under "Other

Business” at the end of a meeting, under a description that did not disclose it, and voting on a public statement without hearing the public, is that subterfuge.

46. Second cause of action: La. R.S. 42:14(D). The vote to authorize and instruct the issuance of the press release was action on an agenda item upon which a vote was taken, and it was taken without the public comment period the statute requires. A single question allowed from one person in the room, at a member’s prompting and without any announcement that the public would be heard, is not a public comment period. The Board’s Chair and the mover of the motion have since acknowledged, on the record of November 9, 2026, that public comment was not allowed.

47. Third cause of action: the exclusion of those attending by video, La. R.S. 42:14(D). The Board provided a video connection for the September 14 meeting and members of the public, including Petitioner, attended by it. The Board then allowed a person physically present to address it and offered nothing to those attending by video. It had announced no rule limiting comment to persons in the room. Petitioner had delivered his written request and statement to every member the day before and had asked that the public be heard (Exhibit A). A public body may adopt “reasonable rules and restrictions” for its comment period, but hearing one member of the public in the room while giving those it admitted by video no opportunity at all is not a rule; it is the absence of the comment period the statute requires.

48. Fourth cause of action: La. Const. art. XII, § 3 and art. I, §§ 7 and 9. The constitutional right to observe the deliberations of public bodies, as implemented by the Open Meetings Law, includes the right to the public comment the Legislature has attached to it. When a public body opens its floor to one member of the public on a matter and closes it to all others without any rule of general application, it also abridges the rights of expression and petition the Constitution of Louisiana secures.

49. Fifth cause of action: declaratory judgment, La. R.S. 42:26 and La. C.C.P. art. 1871. An actual and present controversy exists as to whether the rescission of November 9, 2026 cured the violations of September 14, 2026 and as to the status of the Statement. The only authority the Executive Director ever had to issue the Statement in the Board’s name was the vote of September 14, 2026, which the Board has rescinded in its entirety on the ground that it was taken without the public comment the law requires. Petitioner is entitled to a declaration that

the violations occurred; that the rescission, standing alone, did not cure them; and that the Statement is not the authorized action or position of the Board unless and until it is adopted at a meeting conducted in compliance with the Open Meetings Law.

50. Sixth cause of action: mandamus and injunction, La. R.S. 42:26, La. C.C.P. arts. 3601 and 3863. The cure the law recognizes for action taken without public comment is to take the matter up again at a properly noticed meeting after the public has been heard. The Board has refused to commit to doing so. Petitioner is entitled to an order directing the Board to place the matter on the posted agenda of its meeting of December 7, 2026, with public comment before any vote, and to an injunction against repetition of the violations.

51. Seventh cause of action: civil penalties, La. R.S. 42:28. Each individually named Defendant knowingly and willfully participated in the meeting of September 14, 2026. Each had received, the day before, Petitioner's written request citing La. R.S. 42:19(A)(1)(b)(ii)(cc) and asking that the public be heard on the very motion that was made; the Board's counsel was present and referred during the meeting to "public comment"; Petitioner's attendance was recorded; each member voted; and each received the written demand to cure of September 16, 2026. Each is subject to the civil penalty of La. R.S. 42:28 for each violation.

IX. THE RESCISSION: WHAT IT DID, WHAT IT LEFT STANDING, AND WHY THIS CASE IS BROUGHT

52. Petitioner addresses the rescission directly, because the Board will rely on it. He states plainly which of his claims the rescission does not touch, and which he pleads in the alternative because the rescission may bear on them.

53. What the rescission did. On November 9, 2026 the Board withdrew its own vote of September 14, 2026. The Third Circuit has recognized that a public body may do that: it "is entitled to reconsider the matter at a later meeting and either ratify or rescind" action taken in violation of the law. Wagner, 525 So. 2d at 170. Petitioner does not contend that the Board lacked the power to rescind, and he does not ask the Court to void a vote the Board has already withdrawn.

54. What the rescission did not do. It did not make the meeting of September 14, 2026 lawful. The violations were complete when the Board voted without public comment, and

the Board has since admitted them. A later vote cannot turn a meeting "conducted in violation of this Chapter" into one that was not. La. R.S. 42:28.

55. Everything that flowed from the unlawful action still stands. The vote of September 14 was a vote to do something: to instruct the Executive Director to prepare and distribute a press release. He did. The Statement was issued over his signature on September 15, 2026, sent to the press, to alumni, and to parents, reported in the news, and published by the school, where it remains. The school removed a graduate's comment contradicting it. None of that was recalled on November 9. The Board withdrew the authorization after the act it authorized was complete, and left the act in place. The Board's counsel, asked at the meeting whether the rescission undid anything because "the statement was already made and published," answered that the question did not require a response.

56. That is not the cure the Third Circuit has described. In Wagner, Marien, and Delta Development, the later meeting was held in full compliance with the law and the body dealt with the matter itself, so that nothing done unlawfully was left in effect and the public had been given what it was denied. In Delta Development the court found the harm to the public "was cured when the ratification resolution was adopted" after full discussion at a meeting where "all aspects of the Open Meeting Law were scrupulously followed." 451 So. 2d 134. Here the public has never been heard on what the Board told the public. The Board recalled its vote and nothing else.

57. That is why this case is brought. If a public body may act without the public comment the law requires, carry the action out, and then, days before the time to sue expires, withdraw only the vote, the sixty day remedy of La. R.S. 42:24 and the public comment requirements of La. R.S. 42:14(D) and 42:19 can be defeated at will. The law is to be "construed liberally" to prevent exactly that. La. R.S. 42:12(A).

58. The civil penalties are unaffected by the rescission. La. R.S. 42:28 reaches a member who "knowingly and wilfully participates in a meeting conducted in violation of this Chapter." The claim is against the members personally, arises from their participation on September 14, 2026, and must be "instituted within sixty days of the violation." It does not depend on whether the action is later voided, ratified, or rescinded. In Landry v. Duplechain, 19-457 (La. App. 3 Cir. 2019), the Third Circuit described the civil penalty claims against individual school board members as "distinct, severable and governed by different standards of liability"

from the claims against the board itself. The Supreme Court has affirmed a penalty under La. R.S. 42:28 against an individual member. Parker v. Livingston Parish Government, 2025-01598 (La. 4/9/26). This claim alone presents a live controversy.

59. The claims for declaratory relief are not moot. A case is moot only when a judgment "can serve no useful purpose and give no practical relief or effect." Cat's Meow, Inc. v. City of New Orleans, 98-0601 (La. 10/20/98), 720 So. 2d 1186. When a defendant voluntarily stops the challenged conduct, "that change alone does not make the case moot"; the defendant must show that "there is no reasonable expectation that the alleged violation will recur." Id. And where "the collateral consequences of the case or controversy give a party a concrete interest in the outcome of the litigation," the case is not moot. Id. See also Shepherd v. Schedler, 2015-1750 (La. 1/27/16), 209 So. 3d 752 (issues capable of repetition yet evading review). The Board has given no assurance. It has dealt with this subject twice without hearing the public, in executive session on September 28, 2020 and under "Other Business" on September 14, 2026; it rescinded four days before the period for suit ran; and its counsel has said only that the Board "would consider what it will include on the agenda" for December 7, 2026. The Statement, the penalties, and the claim for costs are continuing consequences.

60. Claims pleaded in the alternative. Petitioner recognizes that the Court may find that some of the relief he seeks goes beyond what the rescission leaves open or what the statute authorizes, and he pleads that relief in the alternative so that the Court may grant what the law allows. (a) To the extent the Court finds that the rescission leaves nothing to void under La. R.S. 42:24, Petitioner asks in the alternative for a declaration under La. R.S. 42:26(A)(3) that the action was taken in violation of the law. (b) Petitioner asks that the Board be ordered to place the matter on its agenda and hear the public under La. R.S. 42:26(A)(1) and (B); if the Court finds that it cannot direct the contents of a public body's agenda, he asks in the alternative for an order under La. R.S. 42:26(B) that the Board not take up, vote on, or issue any further statement on the matter except at a properly noticed meeting after public comment. (c) Petitioner asks for a declaration that the Statement is without the authorization of the Board; he acknowledges that the Open Meetings Law governs how a public body acts and not the truth of what it says, and he does not ask the Court in this summary proceeding to adjudicate the truth of the Statement or to order it retracted. If the Court declines that declaration, he asks in the alternative that the facts concerning the Statement be considered as proof that the violation was knowing and willful and

that the controversy is not moot. (d) If the Court finds any claim moot, Petitioner has prevailed in part within La. R.S. 42:26(C), because the Board rescinded in response to his demand and on the ground he identified. Petitioner appears in proper person; if the Court finds that a self-represented attorney may not recover attorney fees, he asks in the alternative for his "other costs of litigation" under the same provision.

X. PRAYER

WHEREFORE, Petitioner prays that this petition be tried by preference and in a summary manner; that Defendants be ordered to show cause, on a date and hour fixed by this Court before December 4, 2026, the date by which the agenda of the Board's December 7, 2026 meeting must be posted, why the relief prayed for should not be granted; and that, after hearing, there be judgment in favor of Petitioner and against Defendants:

(a) Declaring, under La. R.S. 42:26(A)(3), that the Board violated La. R.S. 42:19(A)(1)(b)(ii)(cc) by voting on September 14, 2026 to take up a matter not on its posted agenda without first affording public comment on the motion and without identifying the matter and its purpose with reasonable specificity;

(b) Declaring, under La. R.S. 42:26(A)(3), that the Board violated La. R.S. 42:14(D) by voting on September 14, 2026 to authorize and instruct the issuance of a press release concerning Mr. Lacaze without first affording a public comment period;

(c) Assessing, under La. R.S. 42:26(A)(5) and 42:28, against each individually named Defendant the civil penalty provided by law for each violation in which that Defendant knowingly and willfully participated, payable personally and not from public funds;

(d) Awarding Petitioner, against the Board, his reasonable attorney fees and other costs of litigation under La. R.S. 42:26(C), or in the alternative his costs of litigation;

(e) In addition, and in the alternative to the extent the Court finds any of the following affected by the rescission of November 9, 2026: declaring that the action taken on September 14, 2026 under "Agenda Item 13: Other Business" was voidable under La. R.S. 42:24; that the rescission, standing alone, did not cure the violations; and, to the extent any part of that action has not been rescinded, declaring it void under La. R.S. 42:26(A)(4);

(f) In addition, and in the alternative: declaring that the Board violated La. R.S. 42:14(D) and La. Const. art. XII, § 3 and art. I, §§ 7 and 9 by allowing comment from a person present in the room while affording none to persons attending by the Board's video connection;

(g) In addition, and in the alternative: declaring that the Statement of September 15, 2026 is without the authorization of the Board, the only vote authorizing it having been rescinded as taken in violation of law, and is not the action or position of the Board unless and until it is adopted at a meeting conducted in compliance with the Open Meetings Law;

(h) In addition, and in the alternative: ordering, under La. R.S. 42:26(A)(1) and (B), that the Board place on the posted agenda of its regular meeting of December 7, 2026, or, if a quorum is not present or the item is not reached, of its next meeting at which a quorum is present, an item described with reasonable specificity as the Board's response to the arrest of its former Senior Director for External Affairs and the Board's Statement of September 15, 2026, and that it afford public comment on that item, including by persons attending by video, before any vote; or, in the further alternative, ordering that the Board not take up, vote on, or issue any statement on that matter except at a properly noticed meeting after public comment;

(i) Enjoining the Board, under La. R.S. 42:26(A)(2), from taking up any matter not on its posted agenda without first affording public comment on the motion to do so, and from taking any vote on any agenda item without first affording the public comment period La. R.S. 42:14(D) requires;

(j) Ordering the Board to preserve and produce the complete audio and video recordings of its meetings of September 14, 2026 and November 9, 2026; and

(k) Granting all other relief that law and equity permit.

Respectfully submitted,



DONALD C. HODGE, JR., in proper person
Louisiana Bar Roll No. 29251
Hodge Law Office
Post Office Box 985, Buena Vista, Colorado 81211
(225) 800-7124 | Facsimile (888) 297-2959
attorneydonaldhodge@gmail.com

PLEASE SERVE AT THIS TIME ONLY:

1. The Board of Directors of the Louisiana School for Math, Science, and the Arts, through its Chair, Dr. Vickie S. Gentry, and through its Secretary, Dr. Jason Anderson, Executive Director of the School, 715 University Parkway, Natchitoches, Louisiana 71457.

2. Dr. Vickie S. Gentry, individually, at 715 University Parkway, Natchitoches, Louisiana 71457, or at 171 Shamard Drive, Natchitoches, Louisiana 71457, or wherever she may be found.

3. The Attorney General of Louisiana, 1885 North Third Street, Baton Rouge, Louisiana 70802 (East Baton Rouge Parish), as La. R.S. 13:5107(A) requires in a suit against a state board.

PLEASE WITHHOLD SERVICE, until Petitioner requests it in writing, on each of the following Defendants, whose addresses for service are:

(a) **Representative Beryl Amedee**, at her legislative district office, 5417 West Main Street, Houma, Louisiana 70360 (Terrebonne Parish)

(b) **Dr. Susannah Craig**, Deputy Commissioner, Louisiana Board of Regents, Claiborne Building, 1201 North Third Street, Suite 6-200, Baton Rouge, Louisiana 70802 (East Baton Rouge Parish)

(c) **Dr. Misty Davis**, Executive Director of Attendance Strategy, Louisiana Department of Education, Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana 70802 (East Baton Rouge Parish)

(d) **Jared R. Dunahoe**, Dunahoe Law Firm, 402 Second Street, Natchitoches, Louisiana 71457

(e) **Dr. Greg Handel**, Executive Vice President and Provost, Northwestern State University, Caspari Hall, Suite 211, Natchitoches, Louisiana 71497

(f) **Kirby Hopkins**, a nonresident, Hopkins Centrich, PLLC, 8701 New Trails Drive, Suite 200, The Woodlands, Texas 77381 (to be served under La. R.S. 13:3204 when service is requested)

(g) **Nikki Landry**, Executive Director, Education Policy, Louisiana Department of Education, Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana 70802 (East Baton Rouge Parish)

(h) **Dr. William B. Luster**, 617 Bienville Street, Suite B, Natchitoches, Louisiana 71457

(i) **William C. New**, New Industries, LLC, 6032 Railroad Avenue, Morgan City, Louisiana 70380 (St. Mary Parish)

(j) **Representative Charles A. Owen**, at his legislative district office, 6673 Evans Street, Rosepine, Louisiana 70659 (Vernon Parish)

(k) **Regina B. Pierce**, 209 Starlight Point Road, Natchitoches, Louisiana 71457, or wherever she may be found

(l) **Dr. Kyle Stephens**, Louisiana School for Math, Science, and the Arts, 715 University Parkway, Natchitoches, Louisiana 71457

(m) **Carolyn Wilkinson**, Chief of Staff, Division of Diverse Learners, Louisiana Department of Education, Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana 70802 (East Baton Rouge Parish)

(n) **Dr. Arthur S. Williams**, 1001 Nettie Street, Natchitoches, Louisiana 71457, or wherever he may be found, including 715 University Parkway, Natchitoches, Louisiana 71457

EXHIBITS

A. Request to amend the agenda and proposed resolution, September 13, 2026, with delivery confirmations.

B. Transcription of the Board's meeting of September 14, 2026, as released by the school on October 16, 2026.

C. Statement of the Board, September 15, 2026, signed by Dr. Jason Anderson, as published.

D. Notice of violation and demand to cure, September 16, 2026, with delivery confirmations.

E. Reserved. Communications between Petitioner and the Board's counsel in compromise negotiations are withheld and will be submitted for review in camera on the Court's order.

F. Notice and Final Agenda of the special meeting of November 9, 2026, transmitted November 6, 2026.

G. The public records cited in Section VI: (G-1) the certification of the Natchitoches Parish Sheriff's Office of September 10, 2026 and its letter of September 21, 2026, the response of the City of Natchitoches of September 16, 2026, and the denial of the Louisiana State Police of September 11, 2026; (G-2) the response and certification of the District Attorney, Tenth Judicial District, with Dr. Horton's email of September 15, 2020 and the District Attorney's letter of September 22, 2020; (G-3) the Louisiana State Police release of September 9, 2026 and the Bond Order; (G-4) the written response of the Natchitoches Parish School Board concerning the hiring of Mr. Lacaze; (G-5) the Board's minutes of September 28, 2020 and June 15, 2026; (G-6) the Report and Recommendation of March 8, 2024 in Barker; and (G-7) Op. Att'y Gen. No. 24-0091 (July 9, 2024). The school's Title IX disclosures produced in Barker under an attorneys' eyes only designation, and the Title IX correspondence of August 6 and 7, 2020, which identifies a student complainant, are not filed publicly and will be offered under seal or for in camera review upon order of the Court.

TENTH JUDICIAL DISTRICT COURT FOR THE PARISH OF NATCHITOCHES
STATE OF LOUISIANA

DONALD C. HODGE, JR. VERSUS BOARD OF DIRECTORS OF THE LOUISIANA SCHOOL FOR MATH, SCIENCE, AND THE ARTS; and REPRESENTATIVE BERYL AMEDEE; DR. SUSANNAH CRAIG; DR. MISTY DAVIS; JARED R. DUNAHOE; DR. VICKIE S. GENTRY; DR. GREG HANDEL; KIRBY HOPKINS; NIKKI LANDRY; DR. WILLIAM B. LUSTER; WILLIAM C. NEW; REPRESENTATIVE CHARLES A. OWEN; REGINA B. PIERCE; DR. KYLE STEPHENS; CAROLYN WILKINSON; DR. ARTHUR S. WILLIAMS, each individually	NUMBER: _____ DIVISION: ____ JUDGE: _____

RULE TO SHOW CAUSE

Considering the foregoing Petition and La. R.S. 42:27, under which proceedings to enforce the Open Meetings Law are tried by preference and in a summary manner,

IT IS ORDERED that Defendants, the Board of Directors of the Louisiana School for Math, Science, and the Arts, and each individually named Defendant, appear and show cause on the _____ day of _____, 2026, at _____ o'clock __.m., in the Tenth Judicial District Court, Natchitoches Parish Courthouse, Natchitoches, Louisiana, why judgment should not be rendered in favor of Petitioner, Donald C. Hodge, Jr., and against them, as prayed for in the Petition:

(a) Declaring, under La. R.S. 42:26(A)(3), that the Board violated La. R.S. 42:19(A)(1)(b)(ii)(cc) by voting on September 14, 2026 to take up a matter not on its posted agenda without first affording public comment on the motion and without identifying the matter and its purpose with reasonable specificity;

(b) Declaring, under La. R.S. 42:26(A)(3), that the Board violated La. R.S. 42:14(D) by voting on September 14, 2026 to authorize and instruct the issuance of a press release concerning Mr. Lacaze without first affording a public comment period;

(c) Assessing, under La. R.S. 42:26(A)(5) and 42:28, against each individually named Defendant the civil penalty provided by law for each violation in which that Defendant knowingly and willfully participated, payable personally and not from public funds;

(d) Awarding Petitioner, against the Board, his reasonable attorney fees and other costs of litigation under La. R.S. 42:26(C), or in the alternative his costs of litigation;

(e) In addition, and in the alternative to the extent the Court finds any of the following affected by the rescission of November 9, 2026: declaring that the action taken on September 14, 2026 under "Agenda Item 13: Other Business" was voidable under La. R.S. 42:24; that the rescission, standing alone, did not cure the violations; and, to the extent any part of that action has not been rescinded, declaring it void under La. R.S. 42:26(A)(4);

(f) In addition, and in the alternative: declaring that the Board violated La. R.S. 42:14(D) and La. Const. art. XII, § 3 and art. I, §§ 7 and 9 by allowing comment from a person present in the room while affording none to persons attending by the Board's video connection;

(g) In addition, and in the alternative: declaring that the Statement of September 15, 2026 is without the authorization of the Board, the only vote authorizing it having been rescinded as taken in violation of law, and is not the action or position of the Board unless and until it is adopted at a meeting conducted in compliance with the Open Meetings Law;

(h) In addition, and in the alternative: ordering, under La. R.S. 42:26(A)(1) and (B), that the Board place on the posted agenda of its regular meeting of December 7, 2026, or, if a quorum is not present or the item is not reached, of its next meeting at which a quorum is present, an item described with reasonable specificity as the Board's response to the arrest of its former Senior Director for External Affairs and the Board's Statement of September 15, 2026, and that it afford public comment on that item, including by persons attending by video, before any vote; or, in the further alternative, ordering that the Board not take up, vote on, or issue any statement on that matter except at a properly noticed meeting after public comment;

(i) Enjoining the Board, under La. R.S. 42:26(A)(2), from taking up any matter not on its posted agenda without first affording public comment on the motion to do so, and from taking any vote on any agenda item without first affording the public comment period La. R.S. 42:14(D) requires;

(j) Ordering the Board to preserve and produce the complete audio and video recordings of its meetings of September 14, 2026 and November 9, 2026; and

(k) Granting all other relief that law and equity permit.

Natchitoches, Louisiana, this _____ day of _____, 2026.

_____
DISTRICT JUDGE