

Keith Guice, President

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**BOARD
of
ELEMENTARY
and
SECONDARY
EDUCATION**

It is the mission of this board to provide leadership and enact policies that result in improved academic achievement and responsible citizenship for all students

OFFICIAL BOARD MINUTES

Meeting of January 28, 2010

LOUISIANA STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

JANUARY 28, 2010

**Auditorium
State Office Building
Baton Rouge, LA**

The Louisiana State Board of Elementary and Secondary Education met in special session on January 28, 2010, in the Auditorium, located in the State Office Building in Baton Rouge, Louisiana. The meeting was called to order at 9:08 a.m. by Board President Keith Guice.

Board members present were: Mr. John Bennett, Ms. Glennie Lee Buquet, Ms. Penny Dastugue, Mr. Jim Garvey, Mr. Keith Guice, Ms. Linda Johnson, Mr. Walter Lee, Ms. Tammie McDaniel, and Mr. Chas Roemer.

Mr. Dale Bayard and Ms. Louella Givens were absent.

Agenda Item 3 On motion of Ms. Dastugue, seconded by Mr. Roemer, the Board approved the agenda as printed and disseminated. (Schedule 1)

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On motion of Ms. Johnson, seconded by Ms. Dastugue, the Board agreed to take Agenda Item 7, "Consideration of the Department's recommendation regarding Assurance Plan of Fiscal Responsibility in Charter Schools, including requirements for defalcation insurance and selective intermittent reviews and audits of schools," out of order.

Discussion followed.

The Department indicated that it would review and update current financial monitoring procedures and consider adding a requirement that the Chair or President of each Board of Directors of nonprofit organizations operating charter schools must certify financial reports to the Department.

Agenda Item 7 On motion of Mr. Roemer, seconded by Ms. Dastugue, the Board approved the Department's recommendations regarding Assurance Plan of Fiscal Responsibility in Charter Schools, including requirements for defalcation insurance and selective intermittent reviews and audits of schools, and directed the Department to:

(Motion continues on page 2)

- review the current insurance requirements for charter schools and to incorporate additional requirements for defalcation (employee theft) and any other types of insurance that may be necessary to ensure public funds are secure. The new insurance requirements will be incorporated into the charter contracts for all schools opening in 2010-2011 prior to contract signing and will be incorporated by Board policy into existing charter contracts prior to the end of the 2009-2010 school year.
- establish a protocol and process for selective intermittent reviews and audits of school financial records by March 2010. (Schedule 2)

At this point in the meeting, the Board returned to the regular agenda order.

Agenda Item 4 On motion of Ms. Dastugue, seconded by Ms. Buquet, the Board approved the recommendation of the Department and authorized Voices for International Business and Education, Inc. to commence operations in the following Type 2 charter school, subject to the conditions below.

Authorization to operate International High School of New Orleans (Orleans Parish) in the 2010-2011 school year is subject to all of the following conditions being met:

- completing the approved pre-opening checklist and
- signing the charter contract no later than March 31, 2010.

Final charter approval is contingent upon the Department's approving the charter contract and the signing of the charter contract by the authorized representative of the non-profit corporation and the BESE President.

Further, the Board approved the Department's revised pre-opening checklist for charter schools opening in 2010-2011.

Further, the Board authorized the Board President to sign the charter contract only after the Department verifies that the applicant has provided to the Department the items in the pre-opening checklist that are due on or before March 31, 2010.

A Roll Call Vote was taken.

Yeas: Mr. Bennett, Ms. Buquet, Ms. Dastugue, Mr. Garvey, Ms. Johnson, Mr. Lee, Ms. McDaniel, and Mr. Roemer.

(Motion continues on page 3)

Nays: Mr. Guice.

Abstains: None.

Absent: Mr. Bayard and Ms. Givens.

The motion passed. (Schedule 3)

Agenda
Item 5

On motion of Ms. Buquet, seconded by Mr. Bennett, the Board approved the recommendation of the Department and authorized the New Orleans Military/Maritime Academy, Inc. to commence operations in the following Type 2 charter school, subject to the conditions below.

Authorization to operate New Orleans Military/Maritime Academy (Orleans Parish) in the 2010-2011 school year is subject to all of the following conditions being met:

- completing the approved pre-opening checklist and
- signing the charter contract no later than March 31, 2010.

Final charter approval is contingent upon the Department's approving the charter contract and the signing of the charter contract by the authorized representative of the non-profit corporation and the BESE President.

Further, the Board approved the Department's revised pre-opening checklist for charter schools opening in 2010-2011.

Further, the Board authorized the Board President to sign the charter contract only after the Department verifies that the applicant has provided to the Department the items in the pre-opening checklist that are due on or before March 31, 2010.

A Roll Call Vote was taken.

Yeas: Mr. Bennett, Ms. Buquet, Ms. Dastugue, Mr. Garvey, Ms. Johnson, Mr. Lee, Ms. McDaniel, and Mr. Roemer.

Nays: Mr. Guice.

Abstains: None.

Absent: Mr. Bayard and Ms. Givens.

The motion passed. (Schedule 4)

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Agenda
Item 6

Ms. Johnson offered a motion that the Board deny the recommendation of the Department regarding the application of Acadiana Operation We Care, Inc. to operate Acadiana Charter School (Type 2 Charter School). The motion died for lack of a second.

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Ms. Dastugue offered a motion, seconded by Ms. Buquet, that the Board approve the recommendation of the Department and authorize the Acadiana Operation We Care, Inc. to commence operations in the following Type 2 charter school, subject to the conditions below.

Authorization to operate Acadiana Charter School (St. Landry Parish) in the 2010-2011 school year is subject to all of the following conditions being met:

- completing the approved pre-opening checklist;
- signing the charter contract no later than March 31, 2010; and
- approval of the federal district court in the St. Landry desegregation case within the timeline allotted by Louisiana Charter School law.

Further, authorization to open in the 2010-2011, 2011-2012, or 2012-2013 school year is contingent upon receiving federal court approval not later than the 1st of May immediately preceding the planned opening.

Final charter approval is contingent upon the Department's approving the charter contract and the signing of the charter contract by the authorized representative of the non-profit corporation and the BESE President.

Further, that the Board approve the Department's revised pre-opening checklist for charter schools opening in 2010-2011.

Further, that the Board authorize the Board President to sign the charter contract only after the Department verifies that the applicant has provided to the Department the items in the pre-opening checklist that are due on or before March 31, 2010.

Discussion followed.

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Ms. McDaniel offered a substitute motion, seconded by Ms. Johnson, that

the Board defer action on “Consideration of authorizing Acadiana Operation We Care, Inc. to operate Acadiana Charter School (Type 2 Charter School)” to allow the St. Landry Parish School Board and Acadiana Operation We Care, Inc. an opportunity to come to agreement by April 2010 regarding support for Acadiana Operation We Care, Inc. to operate a Charter School in St. Landry Parish.

Discussion followed.

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Ms. Buquet offered a substitute motion, seconded by Ms. Dastugue, that the Board approve the recommendation of the Department and authorize the Acadiana Operation We Care, Inc. to commence operations in the following Type 2 charter school, subject to the conditions below.

Authorization to operate Acadiana Charter School (St. Landry Parish) in the 2010-2011 school year is subject to all of the following conditions being met:

- completing the approved pre-opening checklist;
- signing the charter contract no later than March 31, 2010; and
- approval of the federal district court in the St. Landry desegregation case within the timeline allotted by Louisiana Charter School law.

Further, authorization to open in the 2010-2011, 2011-2012, or 2012-2013 school year is contingent upon receiving federal court approval not later than the 1st of May immediately preceding the planned opening.

Final charter approval is contingent upon the Department’s approving the charter contract and the signing of the charter contract by the authorized representative of the non-profit corporation and the BESE President.

Further, that the Board approve the Department’s revised pre-opening checklist for charter schools opening in 2010-2011.

Further, that the Board authorize the Board President to sign the charter contract only after the Department verifies that the applicant has provided to the Department the items in the pre-opening checklist that are due on or before March 31, 2010.

All of the above is subject to a favorable legal opinion from the Attorney General concerning use of local taxes to fund this charter school.

Discussion followed.

A Roll Call Vote was taken on Ms. Buquet’s substitute motion that the Board

approve the recommendation of the Department regarding authorizing Acadiana Operation We Care, Inc. to operate Acadiana Charter School (Type 2 Charter School), subject to a favorable legal opinion from the Attorney General concerning use of local taxes to fund this charter school.

Yeas: Mr. Bennett, Ms. Buquet, Ms. Dastugue, Mr. Garvey, and Mr. Roemer.

Nays: Ms. Johnson, Mr. Lee, Ms. McDaniel, and Mr. Guice.

Abstains: None.

Absent: Mr. Bayard and Ms. Givens.

The motion failed for lack of six favorable votes.

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A Roll Call Vote was taken on Ms. McDaniel’s substitute motion that the Board defer action on “Consideration of authorizing Acadiana Operation We Care, Inc. to operate Acadiana Charter School (Type 2 Charter School)” to allow the St. Landry Parish School Board and Acadiana Operation We Care, Inc. an opportunity to come to agreement by April 2010 regarding support for Acadiana Operation We Care, Inc. to operate a Charter School in St. Landry Parish.

Yeas: Ms. Johnson, Mr. Lee, Ms. McDaniel, and Mr. Guice.

Nays: Mr. Bennett, Ms. Buquet, Ms. Dastugue, Mr. Garvey, and Mr. Roemer.

Abstains: None.

Absent: Mr. Bayard and Ms. Givens.

The motion failed for lack of six favorable votes.

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A Roll Call Vote was taken on Ms. Dastugue’s initial motion that the Board approve the recommendation of the Department and authorize the Acadiana Operation We Care, Inc. to operate Acadiana Charter School

(Type 2 Charter School).

Yeas: Mr. Bennett, Ms. Buquet, Ms. Dastugue, Mr. Garvey, and Mr. Roemer.

Nays: Ms. Johnson, Mr. Lee, Ms. McDaniel, and Mr. Guice.

Abstains: None.

Absent: Mr. Bayard and Ms. Givens.

The motion failed for lack of six favorable votes.

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The Board took no further action regarding application of Acadiana Operation We Care, Inc. to operate Acadiana Charter School (Type 2 Charter School). (Schedule 5)

Agenda Item 8 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board deferred consideration of Board Advisory Council appointments. (Schedule 6)

With no further business to come before the Board, the meeting was adjourned at 10:20 a.m.