

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 August 19, 2010

LOUISIANA STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

AUGUST 19, 2010

**The Louisiana Purchase Room
Baton Rouge, LA**

The Louisiana State Board of Elementary and Secondary Education met in regular session on August 19, 2010, in the Louisiana Purchase Room, located in the Claiborne Building in Baton Rouge, Louisiana. The meeting was called to order at 9:06 a.m. by Board President Keith Guice and opened with a prayer by Mr. Donald Songy, Associate Executive Director of the Louisiana Association of School Superintendents.

Board members present were Mr. Dale Bayard, Mr. John Bennett, Ms. Connie Bradford, Ms. Glenny Lee Buquet, Ms. Penny Dastugue, Mr. Jim Garvey, Ms. Louella Givens, Mr. Keith Guice, Ms. Linda Johnson, Mr. Walter Lee, and Mr. Chas Roemer.

Dr. Allen Grant, BESE Staff Member, led the Pledge of Allegiance.

Agenda Item 5 On motion of Mr. Lee, seconded by Ms. Bradford, the Board approved the agenda, as printed and disseminated, with the addition of Emergency Agenda Item 15. (Schedule 1)

Agenda Item 6 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved the minutes of July 1, 2010, amending Motions 9-H-40 and 9-H-41 as follows:

Motion 9-H-40

On motion of Mr. Roemer, seconded by Ms. Dastugue, the Board ~~received and deferred~~ approved the following contract:

Contractor:	Shelly Hammond Provosty, LLC
Previous Contract	Yes
Contract Amount:	\$275,000.00
Contract Period:	6/15/10 to 6/15/12
Fund:	Finance
Competitive Process:	No True Professional

Description of Service: The Contractor will provide professional legal representation of the State in the litigation captioned *Orleans Parish School Board v. Lexington Insurance Company, et al.*, Civil District Court for the Parish of Orleans, State of Louisiana, Docket No. 2006-7342, Division "E," Section 7 and in any litigation relating to this lawsuit.

(Motion continues on page 2)

Contract Justification: The Office of General Counsel does not have the

resources at its disposal to devote to this litigation. Therefore, it is necessary to contract with a law firm that has the resources and manpower to handle the litigation.

Motion 9-H-41

On motion of Mr. Roemer, seconded by Ms. Dastugue, the Board ~~received and deferred~~ approved the following contract:

Contractor:	Public Consulting Group, Inc.
Previous Contract:	Yes
Original Amount:	\$1,696,500.00
Amended Amount:	\$370,750.00
New Amount:	\$2,067,250.00
Contract Period:	1/1/08 to 6/30/10
Amended End Date:	6/30/11
Fund:	IDEA
Competitive Process:	Yes

Description of Service: The Consultant will support the Recovery School District to help enable Medicaid reimbursement for school-based services and assist in the Behavior Plus application to support positive behavior management for all students in the RSD. In addition, the consultant will continue the ongoing hosting of web-based single platform Special Education Management Solution, changes based on SER changes, ongoing phone, online, Webinar support.

Contract Justification: Support Recovery School District in enabling Medicaid reimbursement for school-based services.

Agenda
Item 7

Notices of Intent

Notices of Intent duly advertised in the May 2010 issue of the *Louisiana Register*, and ready for final adoption.

Agenda
Item 7-A

On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*: Chapters 3 – 9, 33, and 37 – 45.

NOTE: This Notice of Intent was repromulgated on June 20, 2010, in order to correct submission errors.

Agenda Item 7-B On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption Bulletin 130, *Regulations for the Evaluation and Assessment of School Personnel*: Chapters 1 – 9.

NOTE: The LDE has requested that the Board approve only the following sections for final adoption at this time:

Chapter 1. Overview

§101. Regulations of the Program, Subsections A. – F.

§105. Purpose of Personnel Evaluation, Subsections A. – A.5.

§109. Framework for LEA Personnel Evaluation Programs, Subsections A. and B.

Chapter 3. Template for Personnel Evaluation Plans

§329. Intensive Assistance Programs, Subsections A. – D.8.

§333. Procedures for Resolving Conflict – Due Process, Subsections B. – B.11.

§335. Staff Development for Personnel Involved in Evaluation, Subsections A. – B.5.

§339. Job Descriptions, Subsections A. – B.7.

§345. Statement of Assurance, Subsection A.

Chapter 7. Reporting and Monitoring

§701. Annual Summary Reporting Format, Subsections A. – A.10.

Chapter 9. Appendices

§901. Appendix A – Louisiana Components of Effective Teaching

§903. Appendix B – Performance Expectations and Indicators for Education Leaders

Agenda Item 7-C On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2373. Agricultural Education.

Agenda Item 7-D On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2397. Career Options.

- Agenda Item 7-E On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2345. Foreign Languages.
- Agenda Item 7-F On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2377. General Career and Technical Education.
- Agenda Item 7-G On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2385. Technology Education.
- Agenda Item 7-H On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §411. School Nurse.
- Agenda Item 7-I On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §906. Procedures and Rules for Issuance of a Denied Certificate and §911. Procedures and Rules for Reinstatement of Certificates Suspended or Revoked Due to Criminal Convictions and/or Submission of Fraudulent Documents.
- Agenda Item 7-J On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §507. VTIE, CTTIE, and CTTIE-1 Certificates Renewal Guidelines and §511. Process for Reinstating Lapsed CTTIE or VTIE Certificates.
- Agenda Item 7-K On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 1566, *Pupil Progression Policies and Procedures*: Chapters 1 – 15.
- Agenda Item 7-L On motion of Mr. Lee, seconded by Ms. Buquet, the Board approved for final adoption revisions to Bulletin 1706, *Regulations for Implementation of the Children with Exceptionalities Act, Subpart 2. Regulations for Gifted/Talented Students*: Chapters 11 – 20.
- Agenda Item 8 **Report by the State Superintendent of Education**
- On behalf of Superintendent Pastorek, Deputy Superintendent of Education Ollie Tyler highlighted the following in the “Report by the State Superintendent of Education”:

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Summer LEAP Results

- The combined results of spring and summer LEAP testing show that more of our young people are advancing to the next grade. In fact, the percentage of students advancing to the next grade is the highest since promotional standards were raised for 4th graders in 2004 and 8th graders in 2006.
- Nearly 10,000 more fourth and eighth grade students were promoted to the fifth grade and to high school after the summer retest.
- Over the last two years, and after both spring and summer testing, the percent of students performing at grade level on statewide assessments increased by six percentage points – from 60 percent in 2008 to 66 percent in 2010.
- These outstanding results are a true testament to the hard work being done by our educators and our students across the state.

Academically Unacceptable Schools

- The summer LEAP results are not the only way we can tell that academic achievement is improving in Louisiana.
- These gains in student achievement have resulted in fewer schools receiving the Academically Unacceptable School (AUS) label.
- Twelve schools that were previously labeled Academically Unacceptable Schools boosted their School Performance Score (SPS) above the minimum standard to shed the AUS label. The schools are in the following districts:
 - 1 school in Calcasieu Parish,
 - 4 schools in East Baton Rouge Parish,
 - 1 school in Franklin Parish,
 - 2 schools in Jefferson Parish,
 - 1 school in Madison Parish,
 - 1 school in Natchitoches Parish,
 - 1 school in Richland Parish, and
 - 1 school in the City of Bogalusa School District.
- The LDE extended its congratulations to each of these schools and districts on a job well done, and the LDE looks forward to seeing continued improvement, not only in these schools, but in all schools statewide.

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Investing in Innovation Grant

- The U.S. Department of Education (USDOE) awarded a consortium of education providers a \$30 million grant as part of the Investing in Innovation program, which is designed to support the nation's boldest reform plans.
- This \$30 million grant was awarded to a consortium which consisted of New Schools for New Orleans, the Recovery School District (RSD), and the Achievement School District in Tennessee.
- The consortium aims to turn around the bottom five percent of failing schools by establishing best practices to boost academic achievement in challenging school environments.
- Students in Louisiana will also benefit from another \$30 million Investing in Innovation grant awarded to City Year, which has partnered with Communities in Schools and Talent Development of Johns Hopkins University, to help high-poverty high schools succeed.
- The Validation Grant's aim is to turnaround struggling middle and high schools. Already, City Year is working with three Recovery School District high schools, and through the grant, the nonprofits will expand their work in Louisiana and other states across the nation.
- Nearly 1,700 applicants, including states, school districts and nonprofits, competed for a grant from the \$650 million allocated through the program. Only 49 were named recipients of the coveted grants—meaning less than three percent of proposals were selected as winners.
- The LDE congratulated these groups for their outstanding achievement.

Race to the Top

- Louisiana was named a finalist in the Race to the Top competition. Louisiana was among the 35 states and the District of Columbia that submitted applications for Round Two on June 1.
- If selected as a Round Two winner, Louisiana could receive up to \$175 million to implement the reform plan outlined in the state's application. The grant application, *Louisiana's Education Reform Plan*, is centered on ensuring that every student is taught by an effective teacher, and every teacher is supported by an effective leader.

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- U. S. Secretary of Education Arne Duncan has said 10-15 states will secure R2T grants during the second phase.
- Grant winners could be announced as early as next week, so the LDE is hopeful Louisiana will be chosen as one of the recipients for these funds.

Trainings

- The LDE has hosted dozens of trainings and workshops to support districts and schools. Thousands of educators statewide have benefitted from these various professional development opportunities.
- For example, hundreds of educators statewide participated in a number of College and Career Readiness workshops, including training for the new specialists that facilitate the successful Jobs for America's Graduates and EMPLoY programs.
- Also, Career and Technical Education hosted the seventh annual Super Summer Institute on July 25-30 in Lafayette, Louisiana. The Institute provided training and professional development opportunities on 50 courses to hundreds of Career and Technical Education instructors statewide.
- More than 800 instructors participated in this year's Super Summer Institute, with 825 participants earning or renewing Industry-Based Certifications and/or Continuing Learning Units during the five-day event.
- Further, the Literacy Office held Ensuring Literacy for All Academies in which about 850 participants from all over the state analyzed their school data and learned best practices on how to improve their literacy instruction to students.
- Ms. Tyler thanked all of the staff involved in putting together and facilitating these various trainings. As we strive to transform the LDE to one that better supports districts and responds to their needs, workshops and trainings such as these are a very important resource.

Committee of the Whole (COW)

Agenda Item 9-A **Board Administration/Relations Committee COW** (Schedule 2)

- 9-A-1 On motion of Ms. Johnson, seconded by Mr. Lee, the Board received the reports on 8(g) monitoring visits conducted by Board staff.
- 9-A-2 On motion of Ms. Johnson, seconded by Mr. Lee, the Board approved out-of-state travel requests for Ms. Linda Johnson to attend the American Diploma Project meeting in Washington, DC, August 31 – September 2, 2010, and the SREB State Leaders' Forum in Charleston, SC, September 30 – October 1, 2010.
- 9-A-3 On motion of Ms. Johnson, seconded by Mr. Lee, the Board approved the extension of the 8(g) Student Enhancement Block Grant application deadline to allow late submissions to be accepted until 4:30 p.m. on August 20, 2010.
- 9-A-4 On motion of Ms. Johnson, seconded by Mr. Lee, the Board received the report on the BESE Annual Meeting Schedules for the remainder of 2010 and for 2011 and retained this item on the agenda.
- 9-A-5 On motion of Ms. Johnson, seconded by Mr. Lee, the Board received the report on membership in the National Association of State Boards of Education (NASBE) and retained this item on the agenda.

Agenda Item 9-B **Finance Committee COW** (Schedule 3)

- 9-B-1 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received the report on the Student Scholarships for the Educational Excellence Program pursuant to R.S. 17:4024.
- 9-B-2 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board approved aligning the Minimum Foundation Program Student Membership Definition with the MFP resolution, as it relates to the Office of Juvenile Justice (OJJ), by inserting the following language in the MFP membership definition:

- Students receiving educational services at any elementary and secondary school operated by the Office of Juvenile Justice (OJJ) in a secure care facility, considered to be a public elementary or secondary

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school, will be included in the base membership count of OJJ. The base

membership count for OJJ is identified as average daily membership and is calculated by dividing the average number of days the students are under the guidance and direction of teachers by the total instructional days during the specified school year.

- Adding OJJ to the list of schools included in the membership definition.

9-B-3 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received the information on the possible inclusion of the Louisiana School for Math, Science, and the Arts (LSMSA) in the FY 2011-2012 MFP Formula, using the calculation methodology of students times state average per pupil amount.

9-B-4 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received the information on the possible inclusion of the legacy Type 2 Charter Schools in the MFP Formula.

9-B-5 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received the information and directed the LDE to continue to study possible revisions to the Career and Technical Education (CTE) weight in the MFP Formula.

9-B-6 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received the information regarding the recalculation of the Level 3 Mandated Cost expenditures and directed the LDE to study the issue further.

9-B-7 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received the report on student-based budgeting.

Grants and Allocations

Adult Education - Competitive

9-B-8 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board approved the following grant:

Allocation:	Model Regional Alternative Education Pilot Site
Amount:	\$2,450,000
Funding Period:	07/01/10 - 06/30/11
Source of Funds:	State

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Purpose: The state general funds awarded to the two recipients,

determined through the competitive bid process, will support the implementation of innovative regional alternative education schools/programs through a partnership with multiple LEAs and a contracted private provider of alternative education services.

Basis of Allocation: Allocations were determined Fall 2008 through a competitive bid process for a three-year grant period. Applications were read and ranked according to a scoring rubric included in the application. Successful applications included evidence of matching funds to be combined with the requested grant funds for the implementation of innovative alternative education programs in multi-parish consortia. Continuation grants are awarded upon evidence of successful implementation of the initiative.

Quality Educators - Other

9-B-9 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board approved the following grant:

Allocation: Teacher Advancement Program 8(g)
Amount: \$1,153,020
Funding Period: 07/01/10 – 06/30/11
Source of Funds: 8(g) IAT

Purpose: TAP is a research-based school reform system designed to recruit, motivate, and retain high-quality teachers to increase student achievement. Funds are distributed to participating schools to be used as follows:

TAP Schools: salary addendums for master/mentor teachers; travel to TAP trainings and to the National TAP Conference; performance appraisal system (CODE); SAS/EVASS Value-Added Reports; professional development expenses; supplies and materials for TAP master/mentor teachers and TAP cluster rooms.

Pre-TAP Schools: travel for site visits to existing TAP schools; costs associated with travel for TAP workshops; travel to the National TAP Conference.

Basis of Allocation: District allocations were computed based on: \$1,000 for each *Pre-TAP* school and \$20,130 for each *TAP* school.

9-B-10 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received a report on the FY 2010-2011 BESE Budget.

9-B-11 On motion of Ms. Dastugue, seconded by Ms. Johnson, the Board received

the report by the Cowen Institute regarding Louisiana Education Funding and the Southern Regional Average.

Agenda **High School Redesign Committee COW** (Schedule 4)
Item 9-C

9-C-1 On motion of Mr. Bayard, seconded by Ms. Dastugue, the Board received the report on the possible policy revisions to Bulletin 741 to allow districts with schools using 4 X 4 Block Scheduling to permit 28 Carnegie Units for graduation rather than the 24 Carnegie Units currently required in state policy for the College and Career Diploma Pathway and retained this item on the agenda.

9-C-2 On motion of Mr. Bayard, seconded by Ms. Dastugue, the Board received the report on the activities of the High School Redesign Commission.

9-C-3 On motion of Mr. Bayard, seconded by Ms. Dastugue, the Board received the report on the "Bridging the Skills Gap Communication Plan" and retained this item on the agenda.

Agenda **Legal/Due Process Committee COW** (Schedule 5)
Item 9-D

Ms. Johnson offered a motion, seconded by Ms. Givens, to grant the issuance of a Louisiana teaching certificate appropriate to his credentials for Mr. Osceola Free.

Discussion followed.

A Roll Call Vote was taken on Ms. Johnson's motion.

Yeas: Mr. Bayard, Ms. Buquet, Ms. Givens, Ms. Johnson, and Mr. Guice.

Nays: Mr. Bennett, Ms. Bradford, Ms. Dastugue, Mr. Garvey, Mr. Lee, and Mr. Roemer.

Abstentions: None.

Absences: None.

The motion to grant the issuance of a Louisiana teaching certificate appropriate to his credentials for Mr. Osceola Free failed.

9-D-1 On motion of Mr. Roemer, seconded by Ms. Dastugue, the Board denied the issuance of a Louisiana teaching certificate appropriate to his credentials for Mr. Osceola Free.

A Roll Call Vote was taken.

Yeas: Mr. Bennett, Ms. Bradford, Ms. Dastugue, Mr. Garvey, Mr. Lee, and Mr. Roemer.

Nays: Mr. Bayard, Ms. Buquet, Ms. Givens, Ms. Johnson, and Mr. Guice.

Abstentions: None.

Absences: None.

The motion to deny the issuance of a Louisiana teaching certificate appropriate to his credentials for Mr. Osceola Free passed.

9-D-2 On motion of Mr. Lee, seconded by Ms. Givens, the Board granted a hearing to Mr. LaDarion Washington regarding the issuance of a Louisiana teaching certificate appropriate to his credentials.

Agenda Item 9-E **Quality Leaders/Educators Committee COW** (Schedule 6)

9-E-1 On motion of Ms. Buquet, seconded by Ms. Givens, the Board received the Teacher Certification Appeals Council Report for July 29, 2010.

9-E-2 On motion of Ms. Buquet, seconded by Ms. Givens, the Board received the report regarding the 2009-2010 Exit Interview Results (Preliminary).

9-E-3 On motion of Ms. Buquet, seconded by Ms. Givens, the Board approved the following Certification-Only Alternative Path to Certification Programs for certification purposes:

Nicholls State University – Middle Grades 4-8 in English, Math, Science, and Social Studies; and All-Level Grades K-12 Health and Physical Education.
Southern University and A&M College – Early Childhood Grades PK-3; Elementary Grades 1-5; and All-Level Grades K-12 Health and Physical Education.

- 9-E-4 On motion of Ms. Buquet, seconded by Ms. Givens, the Board approved the recommendation of the Louisiana Unit Accreditation Board (LUAB) and granted approval of the teacher education unit at Louisiana State University at Alexandria, with a commendation for meeting all standards in an initial accreditation visit.
- 9-E-5 On motion of Ms. Buquet, seconded by Ms. Givens, the Board approved the recommendation of the Louisiana Unit Accreditation Board (LUAB) and granted approval of the teacher education unit at the University of Louisiana at Lafayette, with a commendation for meeting all standards with no areas for improvement cited.
- 9-E-6 On motion of Ms. Buquet, seconded by Ms. Givens, the Board approved the recommendation of the Louisiana Unit Accreditation Board (LUAB) and granted approval of the teacher education unit at the University of Louisiana at Monroe, with a commendation for meeting all standards with no areas for improvement cited.
- 9-E-7 On motion of Ms. Buquet, seconded by Ms. Givens, the Board approved as a Notice of Intent revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §233. The Practitioner Teacher Program Alternative Path to Certification (Minimum Requirements), §303. Introduction, §305. Professional Level Certificates, §307. Type C, B, and A Certificates, §309. Out-of-State (OS) Certificate, §315. Standard Certificates for Teachers in Nonpublic/Charter Schools, and §1003. Acronyms.
- 9-E-8 On motion of Ms. Buquet, seconded by Ms. Givens, the Board approved as a Notice of Intent revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §233. The Practitioner Teacher Program Alternative Path to Certification (Minimum Requirements), §235. The Master's Degree Program Alternative Path to Certification (Minimum Requirements), §237. Certification-Only Program Alternative Path to Certification, §241. PRAXIS I SCORES, §243. ACT/SAT Scores in Lieu of PRAXIS I SCORES, §625. Requirements to add Early Interventionist Birth to Five Years, §627. Requirements to add Hearing Impaired K-12, §629. Requirements to add Mild/Moderate, §630. Requirements to add Mild/Moderate (1-5), (4-8), and (6-12) – Mandatory 7/1/2010, §631. Requirements to add Significant Disabilities 1-12, and §633. Requirements to add Visual Impairments/Blind K-12.
- 9-E-9 On motion of Ms. Buquet, seconded by Ms. Givens, the Board approved as a Notice of Intent revisions to Bulletin 996, *Standards for Approval of Teacher Education Programs*: §505. Evaluation Process.

9-E-10 On motion of Ms. Buquet, seconded by Ms. Givens, the Board received and referred to the Quality Leaders/Educators Committee for September 2010: "Consideration of the 2009-2010 Value-Added Teacher Preparation Assessment Results."

Agenda **Recovery School District Committee COW** (Schedule 7)
Item 9-F

9-F-1 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board received the report regarding Recovery School District contracts of \$50,000 and under approved by the State Superintendent of Education.

9-F-2 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board received the report regarding Recovery School District contracts and leases for 'Receive and Defer.' There were none.

9-F-3 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board received an update report regarding Miller-McCoy Academy for Mathematics and Business.

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Mr. Lee offered a motion, seconded by Ms. Givens, to defer action regarding the material amendment to the charter governing McDonogh #15: A KIPP Transformation School, chartered by KIPP New Orleans, Inc., to terminate participation in the Teachers' Retirement System of Louisiana (TRSL) effective June 30, 2010, to allow TRSL an opportunity to confer with the Internal Revenue Service (IRS) on this matter.

Discussion followed.

A Roll Call Vote was taken on Mr. Lee's motion to defer.

Yeas: Mr. Bayard, Ms. Givens, Ms. Johnson, Mr. Lee, and Mr. Guice.

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

Absences: None.

Abstentions: None.

The motion to defer failed.

9-F-4 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the material amendment to the charter governing McDonogh #15: A KIPP Transformation School, chartered by KIPP New Orleans, Inc., to terminate participation in the Teachers' Retirement System of Louisiana (TRSL) effective June 30, 2010.

A Roll Call Vote was taken.

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

Nays: Mr. Bayard, Ms. Givens, Ms. Johnson, Mr. Lee, and Mr. Guice.

Abstentions: None.

Absences: None.

The motion to approve passed.

9-F-5 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board:

- received the surrendered charter for Linear Middle from the Martin Luther King Neighborhood Association, Inc.;
- approved RSD operation of the school; and
- approved the Request for Applications.

9-F-6 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board referred to the Recovery School District Committee for September 2010: "Consideration of policy recommendations regarding emergency Request for Applications (RFA) procedures."

9-F-7 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved a material amendment to the charter governing Madison Preparatory Academy, allowing Community School for Apprenticeship Learning, Inc., to add a twelfth grade class during the 2010-2011 school year.

9-F-8 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved a material amendment to the charter governing Langston Hughes Academy Charter School, allowing NOLA 180, Inc., to enter into a management agreement with FirstLine Schools for the 2010-2011 school year, conditional upon fulfillment of contract modifications required by the LDE Office of Charter Schools.

9-F-9 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board received an update report on Capital Projects.

RSD contracts and leases for “Action” and “Special Consideration”

9-F-10 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved the following contract:

Contractor:	Durham School Services
Previous Contract	No
Contract Amount:	\$11,000,000.00
Contract Period:	7/01/10 to 6/30/11
Fund:	MFP
Competitive Process:	Yes

Description of Service: Contractor will provide school bus transportation services to the Recovery School District operated school sites. Bus services are to include, but are not limited to, home to school, athletics and activities, after school programs, special needs, and field trips.

Justification for Contract: Services are necessary for providing school bus transportation services to the Recovery School District.

9-F-11 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved the following contract amendment:

Contractor:	Gordon Arata McCollam
Previous Contract:	Yes
Original Amount:	\$975,000.00
Amended Amount:	\$250,000.00
New Amount:	\$1,225,000.00
Contract Period:	2/01/08 to 1/31/11
Fund:	MFP
Competitive Process:	No - True Professional

Description of Service: The contractor will provide professional legal advice and litigation services to the Recovery School District regarding construction issues relating to Recovery School District properties.

Justification for Contract: The RSD has embarked upon a massive capital program as part of its Master Plan to rebuild the Orleans Parish Public School System. The bid and review process and the preparation and revision of construction contract documents are complicated and demanding requiring the expenditure of a large number of attorney hours. The construction industry is litigious and threatened and/or actual litigation has

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already manifested itself. Due to the litigious nature of the construction industry, the amount of money involved in the award of these construction contracts, and the scope of the rebuilding program, we do not anticipate the amount of required legal work to diminish. Based upon this conclusion, the funds dedicated to this contract will run out well before the end of the contract term. Additional funds are required to protect the interests of the RSD and the State of Louisiana.

9-F-12 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved the following contract amendment:

Contractor:	Mathes Brierre Architects
Previous Contract:	Yes
Original Amount:	\$356,527.00
Amended Amount:	\$10,945.00
New Amount:	\$367,472.60
Contract Period:	8/27/07 to 8/27/10
Amended End Date:	8/27/11
Fund:	FEMA
Competitive Process:	Yes

Description of Service: Demolition of Little Woods Elementary School Amendment #10. This amendment changes the contract end date from 08/27/2010 to 08/27/2011 for the demolition of Little Woods Elementary School. It also provides for the Additional Services fees for the Site Survey and Laboratory Analysis plus 10% allowable mark up for the demolition of Little Woods Elementary School.

Justification for Contract: Task One: Adjusts the contract end date from 08/27/2010 to 08/27/2011 for the demolition of Little Woods Elementary School. Task Two: Provides for the Additional Services fees for the Site Survey plus 10% allowable mark up for the demolition of Little Woods Elementary School. (Increase \$10,296.00). Task Three: Provides for the Additional Services fee for Laboratory Analysis plus 10% allowable mark up for the demolition of Little Woods Elementary School (Increase \$649.00).

9-F-13 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved the following contract:

Contractor:	Shaw Environmental and Infrastructure
Previous Contract:	No
Contract Amount:	\$101,450.00
Contract Period:	8/19/10 to 8/19/13
Fund:	FEMA
Competitive Process:	Yes

(Motion continues on page 18)

Description of Service: Demolition of Lafon Elementary School - This project consists of site survey, environmental assessment, design and construction contract administration of the demolition of main building structures at Lafon Elementary School in the Recovery School District as outlined in the scope which follows. The designer will be responsible for all work including assessing the site for any potential hazardous materials, designing project contract documents including plans and specifications, preparing bid information and documents, construction quality control, plan review by appropriate governmental entities and administration of construction contract for duration of project.

Justification for Contract: Task One: Provides for Environmental assessment, abatement and demolition of Lafon Elementary School. (\$47,315.00) Task Two: Provides for the Additional Services fees for sampling of hazardous materials and site survey for the Demolition of Lafon Elementary School. (\$54,135.00)

9-F-14

On motion of Mr. Roemer, seconded by Ms. Buquet, the Board approved the following contract amendment:

Contractor:	Tulane University
Previous Contract:	Yes
Original Amount:	\$135,319.00
Amended Amount:	\$124,947.00
New Amount:	\$260,266.00
Contract Period:	7/01/09 to 9/30/10
Amended End Date:	9/30/11
Fund:	MSP Grant
Competitive Process:	Yes

Description of Service: This is for delivery of 240 hours of professional development to third and fourth grade teachers on math and science. It includes all materials and supplies necessary for the training and salaries and benefits for the professors providing the instruction.

Justification for Contract: This contract is necessary to improve the mathematics and science content knowledge and classroom practices of third and fourth grade teachers. This instruction will improve student achievement of students and provide for collaboration between K-12 teachers and university professors. This amendment is necessary because the grant has been renewed for another year and, thus, increases the number of hours of professional development delivered by the professors and increases materials costs.

9-F-15 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board received the report on requests from the State Superintendent of Education for waiver of the RSD Procurement Policy. There were no requests.

9-F-16 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board authorized the State Superintendent of Education, with consent of the Chair of the State Board of Elementary and Secondary Education Finance Committee and the President of BESE, to issue final approval of emergency contracts necessary to ensure appropriate delivery of services for the Recovery School District during August 19, 2010, through June 30, 2011.

9-F-17 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board deferred until the September 2010 BESE Meeting: "Consideration of approval of Bulletin 129, The Recovery School District (LAC 28:CXLV)."

Agenda **State Authorized School Oversight Committee COW** (Schedule 8)
Item 9-G

9-G-1 On motion of Mr. Garvey, seconded by Mr. Roemer, the Board received the report on charter school issues and informational reports.

9-G-2 On motion of Mr. Garvey, seconded by Mr. Roemer, the Board ratified the Superintendent's report of personnel actions for the BESE Special Schools (BSS).

Agenda **Student/School Performance and Support Committee COW** (Schedule 9)
Item 9-H

9-H-1 On motion of Ms. Buquet, seconded by Ms. Dastugue, the Board approved the Annual Report on Alternative Education Schools for SY 2009-2010 and authorized the LDE to submit the report to the Governor, the House Committee on Education, and the Senate Committee on Education.

9-H-2 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board approved the Annual Report on Alternative Education Programs for SY 2009-2010 and authorized the LDE to submit the report to the Governor, the House Committee on Education, and the Senate Committee on Education.

9-H-3 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board received the verification visit report from the U.S. Department of Education's Office of Special Education Programs.

9-H-4 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board took the following action regarding requests from local education agencies for waiver of policy contained in Bulletin 741, *Louisiana Handbook for School Administrators*, submitted by the State Superintendent of Education:

1. denied the request from the Zachary Community School District for a waiver of the implementation of the Career Diploma program for the 2010-2011 school year.

The LDE believes it is the intent of the legislature, in approving the Career Diploma Act, that students and parents have the option of choosing a career diploma pathway with different curriculum requirements. The LDE believes that Zachary is providing excellent support and opportunities for students in the programs they provide, but they should also provide parents and students the option of choosing the career diploma.

2. approved the request from the St. John the Baptist Parish School Board for a waiver of §1705 H., which lists the number of librarians required for high schools. The policy states that schools with 1,000 or more students should have two full-time librarians. St. John the Baptist Parish School Board is requesting that it be allowed to have one full-time and one part-time librarian at East St. John High School, which has an enrollment of 1,233 students.

St. John the Baptist Parish School Board is making this request because of budget constraints.

3. approved the request from the DeSoto Parish School System for an extension of a previously-granted waiver of §907, which stipulates minimum instructional time for the awarding of Carnegie credit. The DeSoto Parish School System is requesting this waiver for students participating in its "catch up" program designed for overage high school students who are two or more years behind their peers.

In addition, the Board directed that this waiver be approved for the 2010-11 school year only and that the following stipulations recommended by the LDE for last year's waiver apply to the 2010-11 school year as well:

- the courses meet all Louisiana Content Standards and Grade-Level Expectations,
- participating students will pass a credit exam approved by the LDE, and

(Motion continues on page 21)

- courses where computer software programs are used will be facilitated by a teacher certified in the content area since this is a new course and not credit recovery.

Further, the DeSoto Parish School System will submit a report to the LDE by June 15, 2011, that will include the following information:

- the students' final grades in the Extended Day and Twilight School classes,
- the students' scores on the credit exams,
- the students' iLEAP scores, and
- the students' scores on the Algebra I End-of-Course test.

Mr. Roemer was recorded as being opposed to the denial of the request from the Zachary Community School District for a waiver of the implementation of the Career Diploma program for the 2010-2011 school year.

9-H-5 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board approved as a Notice of Intent extensive revisions to Bulletin 105, *Louisiana Content Standards for Programs Serving Four-Year Old Children*, as presented by the LDE.

9-H-6 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board approved as a Notice of Intent revisions to Bulletin 1196, *Louisiana Food and Nutrition Programs, Policies of Operation: Chapters 3, 5, 7, 25, 29, 33, 34, and 35*, as presented by the LDE.

9-H-7 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board approved as a Notice of Intent revisions to Bulletin 741, *Louisiana Handbook for School Administrators: §2318. The College and Career Diploma and §2319. The Career Diploma*, regarding the grading policy for End-of-Course (EOC) tests and changes in the diploma endorsement policy to reflect the transition to EOC tests, as recommended by the LDE.

Further, the Board directed the LDE to study:

1. the implications that these revisions will have on accountability,
2. the requirements regarding remediation for each End-of-Course test, and
3. the establishment of an additional test date, specifically in the summer.

9-H-8 On motion of Mr. Bayard, seconded by Ms. Johnson, the Board approved as a Notice of Intent revisions to Bulletin 741, *Louisiana Handbook For School Administrators*: §337. Written Policies and Procedures, §502. Staff Misconduct, §1141. Electronic Telecommunication Devices, §1301. Disciplinary Regulations, §1302. Disruptive Behavior, and §1501. Building and Maintenance.

Agenda **Board Advisory Council Reports**
Item 10

Agenda **Special Education Advisory Council** (Schedule 10)
Item 10-A

On motion of Mr. Lee, seconded by Ms. Johnson, the Board received the minutes of the Special Education Advisory Council meeting held August 4, 2010, and approved the tentative agenda for October 6, 2010.

Agenda **Superintendents' Advisory Council** (Schedule 11)
Item 10-B

On motion of Mr. Lee, seconded by Ms. Johnson, the Board received the minutes of the Superintendents' Advisory Council meeting held August 5, 2010, and approved the tentative agenda for September 2, 2010.

Agenda **Board Advisory Council Appointments** (Schedule 12)
Item 11

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the reappointment of Senator Ben W. Nevers to the 8(g) Advisory Council upon the recommendation of Senate President Joel T. Chaisson, II.

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the reappointment of Senator Mike Michot to the 8(g) Advisory Council upon the recommendation of Senate President Joel T. Chaisson, II.

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the appointment of Ms. Kimberlee Gazzolo to the Nonpublic School Commission upon the recommendation of Mr. Jim Garvey. Ms. Gazzolo replaces Sister Ann Lacour on the Council.

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the appointment of Ms. Patrice Pujol to the School and District Accountability Commission upon the recommendation of Mr. J. Rogers Pope, Executive Director of The Louisiana Association of School Executives (LASE) and the Louisiana Association of School Superintendents (LASS). Ms. Pujol replaces former Superintendent Donald Songy on the Commission.

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On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the reappointment of Ms. Terry Simoneaux to the Special Education Advisory Council upon the recommendation of State Superintendent of Education Paul G. Pastorek.

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the reappointment of Ms. Kim Barnette to the Special Education Advisory Council upon the recommendation of Mr. James M. LeBlanc, Secretary of the Department of Public Safety and Corrections.

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the reappointment of Ms. Brenda Sharp to the Special Education Advisory Council upon the recommendation of Dr. Alan Levine, Secretary of the Department of Health and Hospitals.

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the reappointment of Senator Ben W. Nevers to the Textbook/Media/Library Advisory Council upon the recommendation of Senate President Joel T. Chaisson, II.

Agenda
Item 12

Received and/or Referred

Agenda
Item 12-A

On motion of Ms. Dastugue, seconded by Ms. Bradford, the Board received the Resolution from the Caddo Parish School Board requesting relief from the Louisiana Board of Elementary and Secondary Education through the State Superintendent of the Louisiana Department of Education from any and all administrative costs and/or any training being provided that is deemed duplicative and/or unnecessary for the improvement of schools currently operating under a Memorandum of Understanding.

Further, the Board directed the LDE to respond to the Resolution from the Caddo Parish School Board and to provide a copy of its response to the Board. (Schedule 13)

Agenda
Item 12-B

On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, Chapter 3., Subchapter A., Section 309. Out-of-State (OS) Certificate." (Schedule 14)

- Agenda Item 12-C On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, Chapter 4., Subchapter A., Section 414. Mental Health Professional Counselor." (Schedule 15)
- Agenda Item 12-D On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, Chapter 4., Subchapter B., Section 421. Occupational Therapy and Physical Therapy." (Schedule 16)
- Agenda Item 12-E On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, Chapter 6., Subchapter A., Section 605. Requirements to add Early Childhood (Grades PK-3)." (Schedule 17)
- Agenda Item 12-F On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, Chapter 6., Subchapter A., Section 609. Requirements to add Middle School (Grades 4-8) subject areas." (Schedule 18)
- Agenda Item 12-G On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*, Chapter 7., Subchapter B., Section 723. Out-of-State Principal Level 2 (OSP2)." (Schedule 19)
- Agenda Item 12-H On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Recovery School District Committee: "Consideration of a report pertaining to the status of and recommendation on schools transferred to the jurisdiction of the RSD." (Schedule 20)
- Agenda Item 12-I On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the State Authorized School Oversight Committee: "Consideration of Pupil Progression Plans for the Special School District and the BESE Special Schools (BSS)." (Schedule 21)
- Agenda Item 12-J On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the State Authorized School Oversight Committee: "Consideration of a presentation by the National Association of Charter School Authorizers (NACSA) on the charter school application evaluation process." (Schedule 22)

- Agenda Item 12-K On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the State Authorized School Oversight Committee: "Consideration of updates to Bulletin 126 to reflect recent changes in state law." (Schedule 23)
- Agenda Item 12-L On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Student/School Performance and Support Committee: "Consideration of policies governing the Red Tape Reduction Waiver Process." (Schedule 24)
- Agenda Item 12-M On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Student/School Performance and Support Committee: "Consideration of revisions to Bulletin 1530, *Louisiana IEP Handbook for Students with Exceptionalities*." (Schedule 25)
- Agenda Item 13 On motion of Mr. Lee, seconded by Ms. Dastugue, the Board approved additional new faculty, course offerings, and textbooks (FY 2010-2011) for the Louisiana School for Math, Science, and the Arts. (Schedule 26)
- Agenda Item 14 On motion of Mr. Bayard, seconded by Mr. Lee, the Board received and referred to the Finance Committee: "Consideration of clarifying the types of items that should be presented to the Board as 'Receive' and/or 'Approve.'" – Dastugue
- Agenda Item 15 **Received and/or Referred**
- Agenda Item 15-A On motion of Mr. Lee, seconded by Ms. Dastugue, the Board received and referred to the Board Administration/Relations Committee: "Consideration of a report on the three-year analysis of the results of the High School Redesign 9th Grade Initiative 8(g) Statewide Program, including best practices and policy implications."
- Agenda Item 15-B On motion of Mr. Lee, seconded by Ms. Dastugue, the Board received and referred to the Board Administration/Relations Committee: "Consideration of revisions to the BESE Code (LAC 28:1) regarding qualifications of the State Superintendent of Education, as a result of Act 323 of the 2010 Regular Legislative Session." (Schedule 27)
- Agenda Item 15-C On motion of Mr. Lee, seconded by Ms. Dastugue, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of the Educator Evaluation Advisory Committee Appointments." (Schedule 28)

With no further business to come before the Board, the meeting was adjourned at 9:58 a.m.