

Penny Dastugue, 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 December 9, 2010**

# LOUISIANA STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

DECEMBER 9, 2010

The Louisiana Purchase Room  
Baton Rouge, LA

The Louisiana State Board of Elementary and Secondary Education met in regular session on December 9, 2010, in the Louisiana Purchase Room, located in the Claiborne Building in Baton Rouge, Louisiana. The meeting was called to order by Board Vice-President Walter Lee and opened with a prayer by Alexandra Dewitt Casey, daughter of Carleton and Andree Casey and granddaughter of Glenn Lee Buquet.

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

Mr. Keith Guice was absent.

The Colors were presented by the following members of the Woodlawn High School United States Army JROTC: Alexis Brown, Courtnei Hayes, Quinntnei Hayes, and Charlyn LeBlance. The Color Guard was accompanied by Sergeant First Class Jill J. Pearl.

Andree Buquet Casey, daughter of Glenn Lee Buquet, led the Pledge of Allegiance.

“America the Beautiful” was performed by Andrew Vaughan, Director of Certification, Preparation, and Recruitment in the LDE’s Office of Innovation.

Agenda Item 5 Mary Mercer Buquet, daughter of J. J. and Sinclair Buquet and granddaughter of Glenn Lee Buquet, introduced the Honorable Jay Dardenne, Lieutenant Governor.

Chief Warrant Officer Dudley Garidel, the LDE’s Director of Internal Audit, escorted the officers-elect to the podium.

Lieutenant Governor Jay Dardenne administered the Oath of Office to Ms. Penny Dastugue, President; Mr. Jim Garvey, Vice-President; and Ms. Glenn Lee Buquet, Secretary-Treasurer.

Ms. Dastugue thanked Mr. Guice, Mr. Lee, and Ms. Givens for their service to the Board during their tenure as 2009 and 2010 officers. She stated that being a leader on BESE is very difficult and challenging work, and they have approached it with a sense of responsibility and with a sense of humor. Ms. Dastugue said that Mr. Guice is truly a peacemaker and always attempted to find consensus on the Board and to help Board members get along and work better together.

Ms. Dastugue stated that the Board will face significant challenges in 2011, particularly as the state budget continues to contract and fiscal resources become more precious. She stated that the eleven Board members espouse different views and different perspectives; they have different priorities, approaches, beliefs, and philosophies. All Board members share in common their intent to do everything they can on behalf of the children of Louisiana.

Ms. Dastugue stated that, as President, it is her goal to be open to each Board member; to be respectful of Board members' views, even though she may not share those views; and to strive to reach consensus on tough policy and budgetary decisions. She stated that next year will be a very good year for the children of Louisiana if all Board members stay focused on what is in the interest of the children.

Ms. Dastugue said that she appreciates the Board's support of the new slate of officers, who will work hard and will work together to make the Board proud.

Agenda Item 6            On motion of Ms. Johnson, seconded by Mr. Lee, the Board approved the agenda, as printed and disseminated, with the addition of Emergency Agenda Item 15. (Schedule 1)

Agenda Item 7            On motion of Mr. Lee, seconded by Ms. Bradford, the Board approved the minutes of October 21, 2010.

Agenda Item 8            **Notices of Intent**

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

Agenda Item 8-A            On motion of Ms. Johnson, seconded by Ms. Buquet, the Board approved for final adoption Bulletin 129, *The Recovery School District*. Chapters 1 and 11.

Agenda  
Item 9**Report by the State Superintendent of Education**

State Superintendent of Education Pastorek highlighted the following in the remarks to the Board:

- State Superintendent of Education Pastorek congratulated Ms. Dastugue on her election as she takes office as BESE President. During her tenure with BESE over the last seven years, she has been a strong leader, demonstrating her commitment and willingness to advocate key reform initiatives.
  - Ms. Dastugue's professional background and experience as Chair of BESE's Finance Committee have provided her with valuable knowledge of education finance, which will be critical as the LDE and BESE work to ensure resources are focused on education initiatives and programs that are proven to raise student achievement. The State Superintendent of Education stated that it has been a privilege to work with her, and he looks forward to continued collaboration with President Dastugue as the LDE and BESE strive to create a world-class education system for every child in Louisiana.
- State Superintendent of Education Pastorek congratulated and thanked Mr. Keith Guice for his fine leadership as BESE President over the past two years. He stated that he and Mr. Guice worked together for many years, and he has a great admiration for Mr. Guice and his lifelong dedication to public education. During Mr. Guice's tenure as BESE President, the state has seen historic gains in School Performance Scores, as well as a narrowing of the achievement gap between races and socioeconomic classes.
  - Mr. Guice's career experience as a Louisiana educator has been an invaluable asset to the Board, and his guidance and leadership have served to improve outcomes for students across Louisiana. State Superintendent of Education Pastorek stated it was an honor to have the opportunity to work with such a distinguished and respected leader and gentleman, and he looks forward to continuing to do so.
- Over the last several days, the Board has intensely debated some very controversial questions and issues. Mr. Pastorek stated that, as he reflected on the last several days and even the last several months, there is a fundamental underlying most of the matters at hand. That is whether Louisiana will have the courage to lead and act with courage – focused on the best interests of its children.

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- There are many organizations that use that phrase to define their mission or to justify their position on a particular issue. Mr. Pastorek stated that, as somebody who has sat where BESE members sit now, he understands the pressure Board members are under to appease the compelling arguments of groups who plead with them to make decisions that align with their interests. However, in some cases, accommodating these requests in an effort to be politically correct or in an effort to ease adults into making necessary changes little by little would mean, or has meant, compromising the education and future of Louisiana's children. These are simply distractions, but they are big distractions that impede progress.
- State Superintendent of Education Pastorek stated that perhaps the highlight of all the Committee meetings this week was the testimony of Zach Kopplin, a senior at Baton Rouge Magnet High School in Baton Rouge, who came to share his thoughts about the adoption of science textbooks; and the testimony of Seandre' Napoleon, a sophomore at Greater Gentilly High School, and Tanzania Elder, a sophomore at John McDonough High School, the young ladies who testified about the LDE's RSD recommendation.
  - Mr. Pastorek stated that whatever your stance on these issues, it would be hard not to be inspired by these young people who felt strongly enough about these issues to come and speak to the Board.
  - Their testimony represents Louisiana's hope for its next generation. More importantly, their presence here Tuesday and Wednesday were vivid and powerful reminders of who is impacted by these deliberations – our students.
  - State Superintendent of Education Pastorek stated that he hopes that more students are heard from in the future. Over the next several months, he intends to start meeting with students in small groups on a regular basis and will post these conversations on the LDE's website so that Board members and the public can hear from their most important audience.
- Mr. Pastorek recently had the opportunity to attend a meeting in Washington, DC, at which education leaders from around the country met to dialogue and debate solutions for improving schools in individual states and across the country.

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- He was fortunate to participate in a panel discussion with four other state education chiefs who are some of the most extraordinary leaders in our country and who are making dramatic changes and progress in their states through their determination and willingness to risk themselves on behalf of the children they serve.
- Mr. Pastorek stated that he is honored to join them in the establishment of a new group, Chiefs for Change, which is a bipartisan group committed to bold, student-centered K-12 education reforms. Members have committed to one another to collectively continue their pursuit of controversial, but critical, changes both as individual states and on the national policy front.
- Mr. Pastorek will Chair the group, and former Florida Governor Jeb Bush has agreed to provide the group with staffing and financial resources.
- Mr. Pastorek stated that he is confident that his participation in this group will benefit the students of Louisiana, and he looks forward to engaging BESE, the state's policy making board for K-12, in these conversations.
- State Superintendent of Education Pastorek stated that, in the course of the next few hours, the Board will make decisions about virtual education, letter grades for schools, charter school recommendations, and the LDE's recommendation to guide the future oversight of RSD-controlled schools when the initial five year transfer period expires. He stated that these are critical decisions. He also stated that he is hopeful that the Board will leave here today having made history by dramatically parting from the status quo and the outdated institutional practices that cripple Louisiana's schools.
- Mr. Pastorek stated that, for him, it comes down to one simple imperative question: Are we, the adults, willing to make the hard choices, but the right decisions, for our children -- to move Louisiana from 48<sup>th</sup> and 49<sup>th</sup> and 50<sup>th</sup> on lists, to a state where its children not only have a fighting chance, but we set our bar high so that we create a 21<sup>st</sup> Century model of public education that provides our students with the knowledge and skills they need to compete with students across the country and across the world?

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- The Lafayette Academy Charter School, a Type 5 charter school in Orleans Parish, has qualified for an automatic 3-year charter renewal, per the automatic charter renewal procedure approved by the Board in October.
  - Lafayette Academy Charter School is operated by the Choice Foundation and led by Mickey Landry, head of school. The President of the Board of Directors for the Choice Foundation is James Huger.
  - The school serves 780 students in grades PreK-7. Ninety-three percent of its students are considered at-risk and eleven percent have disabilities, which is well above the Orleans Parish average.
  - In order to qualify for automatic charter renewal, a school must have met the following performance standards:
    - Based on Baseline SPS score, must have achieved a minimum level of academic growth. For Lafayette Academy's Baseline SPS (77.3), it was required to have earned at least 10 points of growth in the past two years.
    - All financial performance standards must have been met.
    - All legal and contractual standards must have been met.
  - These are very high standards, clearly not meant to grant every charter operator an automatic renewal, but rather to recognize and incentivize exceedingly high performance.
  - Lafayette Academy Charter School opened in 2006 with an initial Assessment Index of 38.8. Today, it has an Assessment Index of 80.5 and a Growth Performance Score of 87.7.
  - The school met or exceeded every financial performance indicator, which is no easy feat.
  - The Choice Foundation Board and Mr. Landry have worked tirelessly to improve academic achievement at Lafayette Academy, to ensure that the school is financially viable, and to comply with all federal and state laws and Board policies. Early on, the organization terminated its management company after, using monthly report cards, it was determined that the school was not adequately performing. Upon assuming direct leadership of the school, partnerships were

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formed with several organizations to support the school, its students, and their families. A “total instructional alignment” approach was adopted to ensure that every aspect of the instructional program was aligned with state standards. Incremental tests that model state standards are administered, student progress is monitored regularly in order to make early adjustments, and “battle plans” are created to project next steps in the instructional plans of each student.

- The school’s strong staff evaluation and professional development models have enabled it to retain and develop highly effective instructional staff and school leaders. The school has retained over 90% of its teachers.
- What can we expect to see from Lafayette Academy in the next three years? According to their charter renewal application, “We do have plans to continue to evolve. We will introduce our teachers to experiential methodology later this school year [and]...by doing so, we will be winnowing down two academic weaknesses we have observed: insufficient, though improved, student engagement and insufficient, though improved, focus on higher order thinking.” It goes on to say, “Within the next charter term, we want to score in the SPS range of 110-120.”
- Mr. Pastorek stated that if anyone can do it, this group has certainly demonstrated that it can.
- Mr. Pastorek stated that he was pleased to recognize Lafayette Academy Charter School for outstanding performance and for meeting the requirements for automatic charter renewal. He was pleased that Mr. Landry and several members of the Choice Foundation Board of Directors were present. Mr. Pastorek presented them with an award, which they can proudly display in their school: recognizing the commitment of the entire school, its staff, and its students; signaling to the community that this is a school with high expectations, commitment, and demonstrated results; and encouraging their peers to seek the same recognition.

Agenda  
Item 10-A

**Board Administration/Relations Committee**

(Schedule 2)

10-A-1

On motion of Ms. Johnson, seconded by Ms. Buquet, the Board received a report of 8(g) Student Enhancement Block Grant projects for elementary/secondary education for FY 2010-2011.

- 10-A-2      On motion of Ms. Johnson, seconded by Ms. Buquet, the Board deleted Agenda Item III.A.2., “Consideration of update on the public awareness campaign for state initiatives.”
  
- 10-A-3      On motion of Ms. Johnson, seconded by Ms. Buquet, the Board deleted Agenda Item III.A.3., “Consideration of LDE employees’ out-of-state expenditures.”
  
- 10-A-4      On motion of Ms. Johnson, seconded by Ms. Buquet, the Board deleted Agenda Item III.A.4., “Consideration of out-of-state travel to be reimbursed by the LDE for non-employees.”
  
- 10-A-5      On motion of Ms. Johnson, seconded by Ms. Buquet, the Board received the update on the monthly LEQTF 8(g) earnings, as submitted by the Louisiana Department of the Treasury.
  
- 10-A-6      On motion of Ms. Johnson, seconded by Ms. Buquet, the Board approved the Louisiana Department of Education’s request to reduce grant awards for four FY 2010-2011 8(g) Statewide Programs in order to create new FY 2010-2011 8(g) Statewide Programs. The reductions are as follows:

Program Title	Louisiana Educational Leaders Induction
Program Log #	S022
Original Grant Award	\$250,000
Reduced Grant Award (October)	\$228,245
Amount of New Reduction (December)	-\$23,000
<b>REVISED GRANT AWARD</b>	<b>\$205,245</b>

Program Title	Local Teacher Quality
Program Log #	S052
Original Grant Award	\$500,000
Reduced Grant Award (October)	\$456,489
Amount of New Reduction (December)	-\$109,000
<b>REVISED GRANT AWARD</b>	<b>\$347,489</b>

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Program Title	Louisiana School Turnaround Specialist Program
Program Log #	S057
Original Grant Award	\$500,000
Reduced Grant Award (October)	\$464,933
Amount of New Reduction (December)	-\$96,500
REVISED GRANT AWARD	\$368,433

Program Title	Louisiana Online Professional Development Initiative
Program Log #	S058
Original Grant Award	\$150,000
Reduced Grant Award (October)	\$136,947
Amount of New Reduction (December)	-\$2,294
REVISED GRANT AWARD	\$134,653

- 10-A-7 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board approved the proposed program and budget for statewide programs, Comprehensive Performance Management System for Teachers and Comprehensive Performance Management System for Leaders (S065 and S066), (LDE), for FY 2010-2011.
- 10-A-8 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board received the report on the information provided by the Picard Center for Child Development and Lifelong Learning in regard to conducting an evaluation and longitudinal study of the 8(g) Early Childhood programs for at-risk four-year-olds.
- 10-A-9 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board deferred until January 2011: "Consideration of establishing the allocation for Management and Oversight of the 8(g) Program for FY 2011-2012."
- 10-A-10 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board deferred until January 2011: "Consideration of establishing the 8(g) allocations by funding method for FY 2011-2012."
- 10-A-11 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board received a report of new 8(g) Statewide Program Requests for FY 2011-2012, as presented at the 8(g) Public Hearing.

- 10-A-12 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board deleted from the Board Administration/Relations Committee, Agenda Item IV.C.1., "Consideration of a summary of all 2010 BESE policy action categorized by Committee," and retained the item on the BESE Retreat agenda.
- 10-A-13 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board received a report from the LDE regarding the reauthorization of the Elementary and Secondary Education Act (ESEA) and deleted the item from the agenda.
- 10-A-14 On motion of Ms. Johnson, seconded by Ms. Buquet, the Board received the report on realigning Board business with BESE's Key Education Initiatives and with the new organizational structure of the LDE and its Critical Goals and retained the item on the agenda.

Agenda  
Item 10-B

**Finance Committee**

(Schedule 3)

- 10-B-1 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.1., "Consideration of a summary report (YTD) by fiscal unit/BESE initiative on contracts of \$50,000 and under approved by the State Superintendent of Education and received by the Board."
- 10-B-2 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.2., "Consideration of a summary report (YTD) by fiscal unit/BESE initiative on contracts over \$50,000 approved by the Board."
- 10-B-3 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.3., "Consideration of a status report on federal/state grants received by the LDE."
- 10-B-4 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.4., "Consideration of a report on the Education Excellence Fund."
- 10-B-5 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.5., "Consideration of an end of year report on grants/allocations of \$1 million or less approved by the State Superintendent, the Chair of Finance Committee, and the BESE President."
- 10-B-6 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.6., "Consideration of Federal/State grants and allocations (formula)."

- 10-B-7 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received the contracts of \$50,000 and under approved by the State Superintendent of Education and retained this item on the agenda.
- 10-B-8 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.8., "Consideration of LDE contracts and leases for 'Receive and Defer.'"
- 10-B-9 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.9., "Consideration of 'Approved Nonpublic School' allocations."
- 10-B-10 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.10., "Consideration of a report on the Student Scholarships for Educational Excellence Program pursuant to R.S. 17:4024."
- 10-B-11 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received the report regarding the BA-7's submitted by Board agencies/LDE.
- 10-B-12 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received the following audit reports:
- Bureau of Internal Audit (BIA): Single Audits of School Boards Significant Audit Findings for the year ended June 30, 2009: *Summarizes significant observations reported by CPA's for school board single audits* and
  - Bureau of Internal Audit (BIA): Status Report Related to the Review of the Recovery School District Construction Program.
- 10-B-13 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received information on the following FY 2011-2012 MFP formula issues:
- a. consideration of additional information concerning possible changes to the 70% Instructional Requirement;
  - b. statistics regarding the October 2010 MFP funded student count and the October 2010 Mid-year adjustment;
  - c. review of the Wealth Factor;
  - d. follow-up on questions from the October BESE meeting;
  - e. student-based budgeting; and
  - f. monthly summary of MFP issues considered by BESE.

- 10-B-14 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received the report on the Fiscal Dialogues as a result of the Fiscal Risk Assessment process.
- 10-B-15 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the addition of the following evaluations to the Fiscal Risk Assessment process:
- Phase III: Annual evaluation of the current year General Fund Budget that is due to the LDE September 30 each year and
  - Emergency Action: Implemented due to receipt of information or an occurrence that creates a critical situation.
- 10-B-16 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item IV.C.1., "Consideration of Type 2 Charter School allocations."

### **Grants and Allocations**

#### **Disadvantaged and Disabled Student Support - Competitive**

- 10-B-17 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following grant:

Allocation: Even Start Family Literacy  
Amount: \$16,612  
Funding Period: 07/01/09 – 09/30/10  
Source of Funds: Federal

Purpose: The purpose of this program is to break the cycle of poverty and illiteracy by integrating early childhood education, adult education, parenting education, and parent/child interactive literacy activities into a unified family literacy program. Implementation is achieved through cooperative projects that build on existing community resources to create a new range of services, to promote academic achievement of children and adults, and to assist them in achieving challenging State and student performance standards.

Basis of Allocation: The revised allocations reflect the Supplemental Allocation, which was received from the USDOE in October 2010. Competitive subgrants are awarded on a four-year funding cycle through a process mandated by ESEA, Title 1, Part B, Subpart 3 of the *No Child Left Behind Act of 2001*.

10-B-18 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following grant:

Allocation: Even Start Family Literacy  
Amount: \$14,462  
Funding Period: 07/01/10 – 09/30/11  
Source of Funds: Federal

Purpose: The purpose of this program is to break the cycle of poverty and illiteracy by integrating early childhood education, adult education, parenting education, and parent/child interactive literacy activities into a unified family literacy program. Implementation is achieved through cooperative projects that build on existing community resources to create a new range of services, to promote academic achievement of children and adults, and to assist them in achieving challenging State and student performance standards.

Basis of Allocation: Competitive subgrants are awarded on a four-year funding cycle through a process mandated by ESEA, Title 1, Part B, Subpart 3 of the *No Child Left Behind Act of 2001*. Preliminary allocations were submitted and approved at the June 2010 BESE meeting. The revised allocations reflect the Final Allocation, which was received from the USDOE in July 2010.

**School and Community Support - Competitive**

10-B-19 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following grant:

Allocation: Secondary Vocational Education - Carl Perkins  
Amount: \$937,535  
Funding Period: 07/01/10 – 06/30/11  
Source of Funds: IAT-LCTCS

Purpose: The purpose of this program is to more fully develop the academic, vocational, and technical skills of secondary students who elect to enroll in the career and technical education program by: (1) building on the state and local efforts to develop challenging academic standards; (2) promoting the development of services and activities that integrate academic, career, and technical instruction, and that link secondary and postsecondary education for participating career and technical education

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students; and (3) providing professional development and technical assistance that will improve career and technical education programs, services, and activities.

Basis of Allocation: Supplemental allocation. Allocations are computed according to the proportional number of youth population within the LEA and the number of low-income youth within the LEA. Allocations are computed by LCTCS staff.

10-B-20 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following grant:

Allocation: Secondary Vocational Education-Carl Perkins  
Amount: \$738,356  
Funding Period: 07/01/10 – 06/30/11  
Source of Funds: IAT-LCTCS

Purpose: The purpose of this program is to more fully develop the academic, vocational, and technical skills of secondary students who elect to enroll in the career and technical education program by: (1) building on the state and local efforts to develop challenging academic standards; (2) promoting the development of services and activities that integrate academic, career, and technical instruction, and that link secondary and postsecondary education for participating career and technical education students; and (3) providing professional development and technical assistance that will improve career and technical education programs, services, and activities.

Basis of Allocation: This is a reallocation of FY 2009-2010 funds. Allocations are computed according to the proportional number of youth population within the LEA and the number of low-income youth within the LEA. Allocations are computed by LCTCS staff.

#### **Quality Educators - Other**

10-B-21 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following grant:

Allocation: Louisiana Teacher Incentive Fund  
Amount: \$3,958,180  
Funding Period: 10/01/10 – 09/30/11  
Source of Funds: Federal

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Purpose: The Louisiana Teacher Incentive Fund (TIF) supports efforts to develop and implement performance-based teacher and principal compensation systems in high-need schools. The goals include: increasing the percent of effective educators; building the district capacity to implement and sustain a performance-based compensation system for teachers and principals; and increasing student achievement in the eight partnering LEAs. These goals will be achieved through the implementation of TAP™: The System for Teacher and Student Advancement in Ascension, DeSoto, Jefferson, Pointe Coupee, St. Helena, St. Mary, Tangipahoa, and West Baton Rouge Parishes.

Basis of Allocation: Funds are distributed to participating LEAs to be used as follows: salary addendums for additional leadership roles and responsibilities of master/mentor teachers; differentiated effectiveness incentive pay stipends for career teachers, master/mentor teachers, assistant principals, and principals; hard-to-staff recruitment incentives; and the TAP Online Training Portal.

- 10-B-22 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the grants/allocations of \$1 million or less approved by the State Superintendent of Education, the Chair of the Finance Committee, and the BESE President, and moved this item to the Consent Agenda as an informational report.
- 10-B-23 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received the report of the FY 2011-2012 LDE Budget.
- 10-B-24 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received the report of the FY 2011-2012 BESE Budget.
- 10-B-25 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the contracts approved by the State Superintendent of Education and the Chair of the Finance Committee, and moved this item to the Consent Agenda as an informational report.

**Special Consideration****Executive Office of the Superintendent**

10-B-26 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following contract amendment:

Contractor:	Southern Regional Education Board
Previous Contract:	Yes
Original Amount:	\$1,435,229.59
Amended Amount:	(\$362,824.39)
New Contract Amount:	\$1,072,405.20
Contract Period:	09/01/08 - 06/30/11
Fund:	State-High School Redesign OQE Teacher Sup.
Competitive Process:	No - Exempted by R.S. 1494.1

Description of Service: The contractor will provide the following: Training-site development workshop training provided to school leadership and teachers regionally; Site-Based Technical Assistance-consisting of review visits to evaluate and monitor progress of the implementation of these key practices; Instructional Coaches-This is to assist in the development of action plans for implementing the key practices. They will also assist schools in determining their professional development needs, as well as build a network of participating schools for collaborating efforts; Development of Interventions Strategies - Assist schools in developing intervention methods to prevent drop outs. Amending contract for year 3 (10-11) from \$563,024.39 to \$200,200.00 for a savings of \$362,824.39.

10-B-27 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following contract:

Contractor:	iSTEEP
Previous Contract:	Yes
Contract Amount:	\$930,261.00
Contract Period:	01/01/11 - 12/30/14
Fund:	State-Ensuring Literacy and Numeracy For All
Competitive Process:	No - Sole Source

Description of Service: The contractor will provide this program, which includes a comprehensive Response to Intervention (RTI) standard protocol implementation package that is specific to Louisiana K-12 literacy and provides for integrated training and implementation. The process guides

(Motion continues on page 17)

schools through a six-step process to identify students who need intervention and sets up specialized intervention programs for them. This contract is needed to aid schools in identifying students who need intervention and sets up specialized intervention programs for them. This program has been shown to improve Louisiana student's state test scores by 10-25% in participating schools. This contract will aid LDE/BESE goals of: students will be literate by 3<sup>rd</sup> grade; students will enter 4<sup>th</sup> grade on time; students will perform at or above grade level in ELA by 8<sup>th</sup> grade; and students will achieve all goals regardless of race or class.

**LDE-Legal**

10-B-28 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved the following contract:

Contractor:	Division of Administrative Law
Previous Contract:	No
Contract Amount:	\$75,000.00
Contract Period:	01/01/11 - 06/30/12
Fund:	Federal-Legal IDEA B Mediation
Competitive Process:	MOU

Description of Service: This contractor will perform services in accordance with Act 683 of 2010 Regular Legislative Session. This Memorandum of Understanding is entered into law by the LDE and the Division of Administrative Law (DAL) to detail the manner in which the contractor will provide administrative law services to the LDE to handle administrative hearings under the jurisdiction granted by federal and state statute and BESE regulation.

10-B-29 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board received the minutes of the Student-Based Budgeting Task Force meeting held November 3, 2010.

10-B-30 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board approved as a Notice of Intent revisions to Bulletin 1929, *Louisiana Accounting and Uniform Governmental Handbook* (LAUGH Guide): §301. Explanation/General Information, §509. Account Groups, §701. Revenue Codes, §901. Object Codes, §903. Function Codes, §1101. Assets and Other Debit Codes, §1105. Fund Balance Codes, and §1301. Minimum Requirements for Lead School Business Administrator/Chief Financial Officer/Business Manager (Local School Districts and Charter Schools).

10-B-31 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deleted Agenda Item V.A.1., "Consideration of clarifying the types of items that should be presented to the Board as 'Receive' and 'Approve.'"

10-B-32 On motion of Ms. Dastugue, seconded by Mr. Bennett, the Board deferred until January 2011: "Consideration of the Teachers' Retirement System of Louisiana's accrued unfunded liability."

Agenda **High School Redesign Committee** (Schedule 4)  
Item 10-C

10-C-1 On motion of Mr. Bayard, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.1., "Consideration of a status report on the Louisiana Virtual School."

10-C-2 On motion of Mr. Bayard, seconded by Mr. Bennett, the Board deleted Agenda Item III.A.2., "Consideration of an annual report on the Taylor Opportunity Program for Students (TOPS)."

10-C-3 On motion of Mr. Bayard, seconded by Mr. Bennett, the Board deleted Agenda Item III.B.1., "Consideration of approval of statewide articulation activities," and authorized the BESE President to sign future articulation agreements on behalf of the Board.

10-C-4 On motion of Mr. Bayard, seconded by Mr. Bennett, the Board deleted Agenda Item III.B.2., "Consideration of Bulletin 741 waiver requests for the Options Programs."

10-C-5 On motion of Mr. Bayard, seconded by Mr. Bennett, the Board deleted Agenda Item IV.A.1., "Consideration of an update report on the implementation of Louisiana's high school redesign initiatives."

Agenda **Legal/Due Process Committee** (Schedule 5)  
Item 10-D

10-D-1 On motion of Ms. Johnson, seconded by Mr. Roemer, the Board denied a hearing for Ms. Rachel Alexander regarding the issuance of a Louisiana teaching certificate appropriate to her credentials.

Agenda **Legislative Committee** (Schedule 6)  
Item 10-E

10-E-1 On motion of Ms. Johnson, seconded by Mr. Roemer, the Board received the report regarding the utilization of New Market Tax Credits and deleted this item from the agenda.

10-E-2 On motion of Ms. Johnson, seconded by Mr. Roemer, the Board approved the responses to the following:

- a. House Concurrent Resolution 1998 of the 2010 Regular Legislative Session, which requests BESE to study partnerships by public school boards with private entities to provide certain ancillary services.
- b. Senate Resolution 190 of the 2010 Regular Legislative Session, which requests BESE to study the feasibility and advisability of providing a salary supplement to national board certified educational diagnosticians.

10-E-3 On motion of Ms. Johnson, seconded by Mr. Roemer, the Board received the update on federal legislation and deleted this item from the agenda.

Agenda Item 10-F **Literacy and Numeracy Committee** (Schedule 7)

10-F-1 On motion of Ms. Buquet, seconded by Ms. Johnson, the Board deleted Agenda Item III.A.1, "Consideration of a report on the *Louisiana Literacy Plan: Literacy for All.*"

Agenda Item 10-G **Quality Leaders/Educators Committee** (Schedule 8)

10-G-1 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board deleted Agenda Item III.A.1., "Consideration of activities for Professional Accountability."

10-G-2 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board deleted Agenda Item III.A.2., "Consideration of an update on Leadership Development activities."

10-G-3 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board deleted Agenda Item III.A.3., "Consideration of a report on the Professional Development Program."

10-G-4 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board approved, for certification purposes, the following redesigned program:

Louisiana State University and Agricultural and Mechanical College – Alternate Educational Leader Program.

10-G-5 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board deleted Agenda Item IV.B.1., "Consideration of a status report on the Blue Ribbon Commission for Educational Excellence."

10-G-6 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board approved as a Notice of Intent revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: Chapter 6. Endorsements to Existing Certificates, §601. Introduction.

10-G-7 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board approved as a Notice of Intent revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: Chapter 6. Endorsements to Existing Certificates, Subchapter B. Special Education Level and Area Endorsements, §625. Requirements to add Early Interventionist Birth to Five Years.

Agenda **Recovery School District Committee** (Schedule 9)  
Item 10-H

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

10-H-2 On motion of Ms. Buquet, seconded by Mr. Lee, the Board approved the recommendation of the LDE and authorized Community Leaders Advocating Student Success to commence operation of Fannie C. Williams Charter School (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of a pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- assignment of an existing RSD-operated school by the Superintendent of the RSD not later than March 2011. If an assignment is not made, the authority to open this school may be deferred until 2012-13 or may be rescinded, based on a recommendation by the Superintendent of the RSD. The LDE staff will report on the status of applicants and their school assignments during the March 2011 RSD Committee meeting; and
- execution of the charter contract no later than April 29, 2011.

(Motion continues on page 21)

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-H-3

On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the recommendation of the LDE and authorized Crescent City Schools to commence operation of Crescent City School (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- assignment of an existing RSD-operated school by the Superintendent of the RSD not later than March 2011. If an assignment is not made, the authority to open this school may be deferred until 2012-13 or may be rescinded, based on a recommendation by the Superintendent of the RSD. The LDE staff will report on the status of applicants and their school assignments during the March 2011 RSD Committee meeting; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-H-4

On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the recommendation of the LDE and authorized Educators for Quality Alternatives (EQA) to commence operation of The NET Charter High School (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- assignment of an existing RSD-operated school by the Superintendent of the RSD not later than March 2011. If an assignment is not made, the authority to open this school may be deferred until 2012-13 or may be rescinded, based on a recommendation by the Superintendent of the RSD. The LDE staff will report on the status of applicants and their school assignments during the March 2011 RSD Committee meeting; and

(Motion continues on page 22)

- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

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Public comments regarding Recovery School District Committee Agenda Item IV.B.4., "Consideration of Type 5 charter school proposals," were received from Ms. Tracie Washington.

- 10-H-5 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board denied the application of The Friends of King School, Inc., to commence operation of Joseph A. Craig School (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year.

Ms. Givens was recorded as opposing the motion.

- 10-H-6 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE's report regarding the Type 5 charter school application submitted by Dr. George Washington Carver Charter School Association to operate George Washington Carver Charter School in Orleans Parish.

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**NOTE:** Initial action taken on Agenda Item 10-H-7 was reconsidered later in the meeting. See Motion 10-H-7 on page 24 for the Board's final action on this item.

- 10-H-8 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE's report regarding the Type 5 charter school application submitted by James Weldon Johnson Academy to operate James Weldon Johnson Academy in Orleans Parish.

- 10-H-9 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE's report regarding the Type 5 charter school application submitted by John T. Scott Middle School to operate John T. Scott Middle School in Orleans Parish.

10-H-10 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE's report regarding the Type 5 charter school application submitted by Lord Beaconsfield Charter Association to operate Lord Beaconsfield Landry College Preparatory and Career Focused Charter High School in Orleans Parish.

10-H-11 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the recommendation of the LDE and authorized New Orleans Charter Science and Math Academy to commence operation of Collegiate Academy Charter School (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- assignment of an existing RSD-operated school by the Superintendent of the RSD not later than March 2011. If an assignment is not made, the authority to open this school may be deferred until 2012-13 or may be rescinded, based on a recommendation by the Superintendent of the RSD. The LDE staff will report on the status of applicants and their school assignments during the March 2011 RSD Committee meeting; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-H-12 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE's report regarding the Type 5 charter school application submitted by New Orleans East Charter Academies, Inc., to operate Sarah T. Reed Charter Elementary School in Orleans Parish.

10-H-13 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board received the LDE's report regarding the Type 5 charter school application submitted by New Orleans East Charter Academies, Inc., to operate Sarah T. Reed Charter Middle School in Orleans Parish.

Ms. Givens was recorded as opposing the motion.

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On motion of Ms. Givens, seconded by Ms. Bradford, the Board agreed to reconsider Agenda Item 10-H-7.

- 10-H-7 On motion of Ms. Givens, seconded by Ms. Johnson, the Board referred to the Recovery School District Committee in January 2011: "Consideration of the development of a memorandum of understanding between the Recovery School District and Dr. George Washington Carver Charter School Association (George Washington Carver Charter School), Lord Beaconsfield Charter Association (Lord Beaconsfield Landry College Preparatory and Career Focused Charter High School), Walter L. Cohen Alumni Association Charter Division (Walter L. Cohen High School), and the Friends of King School (Joseph A. Craig)."

Mr. Roemer was recorded as opposing the motion.

- 10-H-14 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE's report regarding the Type 5 charter school application submitted by New Orleans East Charter Academies, Inc., to operate Sarah T. Reed Charter High School in Orleans Parish.

- 10-H-15 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the recommendation of the LDE and authorized ReNEW-Reinventing Education, Inc., to commence operation of ReNEW K-8 Charter School ("ReNEW Three") (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- assignment of an existing RSD-operated school by the Superintendent of the RSD not later than March 2011. If an assignment is not made, the authority to open this school may be deferred until 2012-13 or may be rescinded, based on a recommendation by the Superintendent of the RSD. The LDE staff will report on the status of applicants and their school assignments during the March 2011 RSD Committee meeting; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-H-16 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the recommendation of the LDE and authorized ReNEW-Reinventing Education, Inc., to commence operation of ReNEW Alternative High School 1 (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- assignment of an existing RSD-operated school by the Superintendent of the RSD not later than March 2011. If an assignment is not made, the authority to open this school may be deferred until 2012-13 or may be rescinded, based on a recommendation by the Superintendent of the RSD. The LDE staff will report on the status of applicants and their school assignments during the March 2011 RSD Committee meeting; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-H-17 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the recommendation of the LDE and authorized ReNEW-Reinventing Education, Inc., to commence operation of ReNEW Alternative High School 2 (Type 5 charter school), in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- assignment of an existing RSD-operated school by the Superintendent of the RSD not later than March 2011. If an assignment is not made, the authority to open this school may be deferred until 2012-13 or may be rescinded, based on a recommendation by the Superintendent of the RSD. The LDE staff will report on the status of applicants and their school assignments during the March 2011 RSD Committee meeting; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

- 10-H-18      On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE’s report regarding the Type 5 charter school application submitted by Total Learning Community, Inc., to operate Benjamin Banneker Academy in Orleans Parish.
  
- 10-H-19      On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE’s report regarding the Type 5 charter school application submitted by Walter L. Cohen Alumni Association Charter Division to operate Walter L. Cohen High School in Orleans Parish.
  
- 10-H-20      On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE’s report regarding the Type 5 charter school application submitted by Young Audiences of Louisiana, Inc., to operate Joseph A. Craig Community School in Orleans Parish.
  
- 10-H-21      On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE’s report regarding the Type 5 charter school application submitted by Shreveport Charter School Association, Inc., to operate Linear SABIS Academy in Caddo Parish.
  
- 10-H-22      On motion of Ms. Bradford, seconded by Ms. Buquet, the Board received the LDE’s report regarding the Type 5 charter school application submitted by Wilson Community Development Corporation to operate Aurora Academy of Performing and Communication Arts in Caddo Parish.

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**NOTE:** A motion to reconsider initial action taken on Agenda Item 10-H-23 was made later in the meeting. See Motion 10-H-23 on page 39 for the Board’s final action on this item.

- 10-H-24      On motion of Ms. Buquet, seconded by Ms. Givens, the Board received the report regarding: “Consideration of RSD contracts and leases for ‘Receive and Defer’” and deleted this item from the agenda.
  
- 10-H-25      On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: “Consideration of a report on the percentage of students with disabilities in Type 5 Charter Schools, including the LDE’s follow-up and recommendations on Type 5 Charter Schools with an enrollment of students with disabilities of 5% or less.”
  
- 10-H-26      On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: “Consideration of a report from the Recovery School District Charter Schools.”

10-H-27 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board received the report on Type 5 charter contracts and requests for amendments. There were none.

10-H-28 On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: "Consideration of an update report on Capital Projects."

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Ms. Johnson requested that the Oversight Committee for the School Facilities Master Plan for New Orleans seriously review the current master plan; determine if over-building is occurring; and determine if there are opportunities to use other vacant buildings, rather than continuing to build.

10-H-29 On motion of Ms. Buquet, seconded by Mr. Roemer, the Board received the report regarding: "Consideration of an update report regarding meetings of the Oversight Committee for the School Facilities Master Plan for New Orleans" and deleted this item from the agenda.

10-H-30 On motion of Ms. Buquet, seconded by Mr. Roemer, the Board approved the process and timeline for the 2011-2012 Common Application for RSD direct-run and charter schools in Orleans Parish.

10-H-31 On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: "Consideration of minutes of the Recovery School District Governance Public Hearing held on October 14, 2010."

10-H-32 On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: "Consideration of a report from the LDE's Education Finance staff concerning Type 5 charter school budgets and expenditure reports, including irregularities or concerns."

10-H-33 On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: "Consideration of 2009-2010 RSD expenditures and budget balances, including a comparison between actual revenues and expenses incurred compared to budgeted revenues and expenses."

**Contracts and Leases for "Special Consideration"**

10-H-34 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor:	Billes Architecture, LLC
Previous Contract:	Yes
Original Amount:	\$2,157,662.60
Amended Amount:	\$42,329.40
New Amount:	\$2,115,333.20
Contract Period:	07/14/08 to 07/14/11
Amended End Date	09/30/2011
FEMA	FEMA
Competitive Process:	Yes

Description of Service: William Frantz Elementary School, Amendment #8: This amendment adjusts the Designer's Fee for Basic Services required by the revised contract, which was based on the actual low bidder's price from bids received on August 17, 2010, for Renovations and Addition at Williams Frantz School. It also provides for a reimbursable expense fee for reproduction costs for bid documents. It provides for additional fees due to the re-bidding of Project #2008-0114-0003, based on services during the Bidding and Contract phase and provides for additional fees for required design changes for Renovations and Addition to William Frantz School.

10-H-35 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract:

Contractor:	Family Service of Greater New Orleans
Previous Contract:	Yes
Contract Amount:	\$140,000.00
Contract Period:	01/05/11 to 06/30/11
Fund:	Safe School Grant Model and Regional Alternative Grant
Competitive Process:	No, Social Service

Description of service: Family Service of Greater New Orleans will provide intensive family therapy to referred eligible SSHS and Alternative School Students designed to increase student attendance, academics, and emotional and behavioral performance.

- 10-H-36 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor:	Farnsworth Group, Inc
Previous Contract:	Yes
Original Amount:	\$1,556,136.00
Amended Amount:	\$16,327.13
New Amount:	\$1,572,463.13
Contract Period:	03/11/10 to 03/11/13
Fund:	FEMA
Competitive Process:	Yes

Description of service: Commissioning services for seven new and renovated schools in Orleans Parish, Amendment #2: This Amendment provides for Additional Services Fees for additional labor and expenses related to reviews and meetings associated with the re-bid of Woodson Elementary School. It also provides for Additional Services Fees for additional labor and expenses related to reviews and meetings associated with the re-bid of Parkview Elementary School.

- 10-H-37 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor:	Farnsworth Group, Inc.
Previous Contract:	Yes
Original Amount:	\$1,073,668.00
Amended Amount:	\$81,709.76
New Amount:	\$1,155,377.76
Contract Period:	12/01/07 to 11/30/12
Fund:	FEMA
Competitive Process:	Yes

Description of Service: Commissioning Services for Quickstart Schools, Amendment #4: This Amendment provides for the revision of the total contract amount for Fannie C. Williams Elementary School due to delays in the project schedule and for additional labor and expenses related to reviews and meetings exceeding the originally proposed two reviews and single pre-bid meeting associated with the re-bid of Fannie C. Williams Elementary School. It also provides for the revision of the total contract amounts for Andrew H. Wilson Elementary School and Langston Hughes School for the addition of re-testing fees conducted due to failed functional

(Motion continues on page 30)

tests. Provides for the revision of the total contract amount for additional labor and expenses related to reviews and meetings exceeding the originally proposed two review and single pre-bid meeting associated with the re-bid of William Frantz Elementary School.

10-H-38 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract:

Contractor:	Hewitt-Washington and Associates Architects-Planners
Previous Contract:	Yes
Contract Amount:	\$80,385.00
Contract Period:	12/09/10 to 12/09/13
Fund:	FEMA
Competitive Process:	Yes

Description of Service: Demolition of Booker T. Washington High School, Annex And Accessory Buildings, original contract: This project consists of a site survey, environmental assessment, design and construction contract administration of the Annex and Accessory Buildings at Booker T. Washington High School in the Recovery School District, as outlined in the scope below. 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.

10-H-39 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract:

Contractor:	Hewitt-Washington and Associates Architects-Planners
Previous Contract:	Yes
Contract Amount:	\$3,854,210.00
Contract Period:	12/09/10 to 12/09/13
Fund:	FEMA
Competitive Process:	Yes

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Description of Service: New Booker T. Washington High School and Rehabilitation of the Auditorium, original contract: This project consists of design services for the new high school at Booker T. Washington High School and Rehabilitation of the Auditorium, in accordance with the new high school educational specifications. The Designer's Basic Services consist of the following phases: program completion phase, schematic design phase, design development phase, construction document phase, bidding and contract phase, construction phase, and the construction closeout phase. In addition, the contract includes the normal Services of the Designer and normal complementary or supplementary Services of his Consultants, and any other services included in the contract.

10-H-40 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor:	HMS Architects, Inc.
Previous Contract:	Yes
Original Amount:	\$66,561.00
Amended Amount:	\$26,023.00
New Amount:	\$92,584.00
Contract Period:	06/17/10 to 06/17/13
Fund:	FEMA - Gustav
Competitive Process:	Yes

Description of Service: Gaudet/Lake Forest Elementary School (roof) project no.: 2010-0791-0001; Murray Henderson Elementary School (roof) project no.: 2010-0795-0001; various roof and repair projects project no.: 2010-0792-0001; McDonogh #15 Elementary School, Dwight D. Eisenhower Elementary School, Andrew Jackson Elementary School, Paul B. Habans Elementary School, Sylvania F. Williams Elementary School, Joseph S. Clark Sr. High School, and Alfred Lawless Senior High School, Amendment #2: This Amendment changes the project name for Murray Henderson to Murray Henderson Elementary School (Roof) and New Project #2010-0795-0001. This change is based on replacing the roof at Murray Henderson Elementary School in lieu of minor repairs.

10-H-41 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract:

Contractor: Infinity Engineering Consultants, LLC  
Previous Contract: Yes  
Contract Amount: \$32,529.00  
Contract Period: 12/09/10 to 12/09/13  
Fund: FEMA  
Competitive Process: Yes

Description of Service: Replace under floor utilities and selective HVAC at Douglass High School, original contract: This project consists of the replacement of selective under-floor utilities which may include natural gas, sewer, water, and electrical services with new under floor or over-head utilities; and replacement of selective HVAC equipment which include Library Roof-Top Unit, selective fan coil units, installation of AHUs for the Auditorium, and replacement of the Building Automation System at Douglass High School.

10-H-42 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor: Integrated Management Services, P.A., Inc.  
Previous Contract: Yes  
Original Amount: \$18,448.00  
Amended Amount: \$43,439.00  
New Amount: \$61,887.00  
Contract Period: 09/16/10 to 09/16/12  
Amended End Date 11/30/12  
Fund: Harrah's / FEMA  
Competitive Process: Yes

Description of Service: Carbon Credit Energy Conservation Measures Phase 1 for Henry C. Schaumburg Elementary School, Benjamin Banneker Elementary School and HVAC and chiller replacement at Sylvania Williams Elementary School, Amendment #1: This amendment adjusts the Designer's Fee for Basic Services for the Carbon Credit Contract, Phase 1, for Henry C. Schaumburg Elementary School and Benjamin Banneker Elementary School. It also provides for the Designer's Fee for Basic Services for the HVAC and Chiller Replacement Contract at Sylvania Williams Elementary School.

10-H-43 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract:

Contractor: Jacobs/CSRS Consortium  
Previous Contract: Yes  
Contract Amount: \$26,944,177.00  
Contract Period: 12/01/10 to 12/01/13  
Fund: FEMA  
Competitive Process: Yes

Description of Service: Contractor will provide program management/construction management (PM/CM) services encompassing planning support, community outreach, design management, construction project management, field inspection services, project controls, administration and compliance monitoring of federal, state, and private funds for an on-schedule and within-budget implementation of a multi-site facilities capital plan estimated at \$1.8 billion to \$2.0 billion over a duration of 3-5 years. The overall objective is to assist the RSD in managing implementation of a multi-site facilities program consisting of New School Construction, Major Renovations, Stabilization of Occupied Schools, Demolitions, Mothballing Historic Buildings, and Relocation or Dismantling Temporary Education Facilities.

10-H-44 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approve the following contract amendment:

Contractor: Lambert Engineers, LLC  
Previous Contract: Yes  
Original Amount: \$53,632.51  
Amended Amount: -\$12,009.90  
New Amount: \$41,622.61  
Contract Period: 05/14/09 to 05/14/12  
Fund: FEMA  
Competitive Process: Yes

Description of Service: Renovation of Cottage at Andrew H. Wilson Elementary School, Amendment #4: This Amendment adjusts the Designer's Fee for Basic Services required by the revised contract to \$14,209.00, which is based on the final construction price of \$98,196.00 for renovation of cottage at Andrew H. Wilson Elementary School.

10-H-45 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor: Lambert Engineers, LLC  
Previous Contract: Yes  
Original Amount: \$77,902.00  
Amended Amount: \$2,281.50  
New Amount: \$80,183.50  
Contract Period: 04/29/09 to 04/29/12  
Fund: FEMA  
Competitive Process: Yes

Description of Service: Demolition of Sherwood Forest Elementary School, Amendment #2: This amendment adjusts the Designer's Fee for basic services required by the revised contract, based on the final construction price. It also provides for the Additional Services Fees required by the contract for the assurance of environmental regulation and compliance for the demolition of Sherwood Forest Elementary School.

10-H-46 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor: M3A Architecture, PLLC  
Previous Contract: Yes  
Original Amount: \$53,929.00  
Amended Amount: \$402.73  
New Amount: \$54,331.73  
Contract Period: 08/05/09 to 08/05/11  
Fund: FEMA  
Competitive Process: Yes

Description of Service: Demolition of Gordon Elementary, Amendment #3: This amendment provides for reimbursable expense for the cost of printing and distribution of all sets of construction documents, over and above the amount of the deposits on the same retained by the designer for the demolition of Gordon Elementary School.

10-H-47 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract:

Contractor: The M and S Collaborative, LLC  
Previous Contract: No  
Contract Amount: \$38,406.00  
Contract Period: 12/09/10 to 12/09/13  
Fund: FEMA  
Competitive Process: Yes

Description of Service: HVAC Repairs at Walter L. Cohen High School, Original Contract: This project consists of design services for the correction of the HVAC Return Air/Ventilation problems, replacement of two (2) chilled water pumps and the chillers' electrical control panels in the penthouse, and replacement of the school's HVAC Building Automation System at Walter L. Cohen High School.

10-H-48 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approve the following contract:

Contractor: Montgomery Roth Architecture and Interior Design, LLC  
Previous Contract: No  
Contract Amount: \$99,152.00  
Contract Period: 12/09/10 to 12/09/13  
Fund: FEMA  
Competitive Process: Yes

Description of Service: New Roof And Masonry Repairs at Marquis de Lafayette Elementary School, Original Contract: This project consists of design services for reroofing and exterior masonry repair. The roofing portion of the project includes the removal and replacement of an existing roof and repair, flashing and coping of existing parapets. The exterior masonry work consists of repointing, masking, patching, and grouting of the exterior face brick, as well as sealing of joints, penetrations, and openings at Marquis de Lafayette Elementary School.

10-H-49 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract:

Contractor: Moses Engineers, Inc.  
Previous Contract: Yes  
Contract Amount: \$54,368.80  
Contract Period: 12/09/10 to 12/09/13  
Fund: FEMA  
Competitive Process: Yes

Description of Service: Building Automation System Integration at Recovery School District Central and Remote Offices, Original Contract: The scope of this project provides for design services for implementation of a Central Remote Building Automation System that integrates the existing Building Automation Systems of the 5 Quick Start Schools into a central remote monitoring Workstation, location to be determined by the owner. The 5 Quick Start Schools include Wilson Elementary School, Craig Elementary School, Langston Hughes Elementary School, L.B. Landry High School, and Lake Area High School. It also provides for the Additional Services Fee for Analysis of Existing BAS for Building Automation System Integration at Recovery School District Central and Remote Offices.

10-H-50 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor: N-Y Associates, Inc.  
Previous Contract: Yes  
Original Amount: \$76,481.00  
Amended Amount: \$32,525.00  
New Amount: \$109,006.00  
Contract Period: 05/20/10 to 05/20/13  
Fund: FEMA  
Competitive Process: Yes

Description of Service: Removal and Replacement of Exterior Windows at Henry C. Schaumburg Elementary School, Amendment #1: This Amendment adjusts the Designer's Fee for Basic Services required by the contract due to the addition to the scope of work for Removal and Replacement of Exterior Windows at Henry C. Schaumburg Elementary School.

10-H-51 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor:	N-Y Associates, Inc.
Previous Contract:	Yes
Contract Amount:	\$70,624.00
Contract Period:	12/09/10 to 12/09/13
Fund:	FEMA
Competitive Process:	Yes

Description of Service: Roof Replacement and Elevator Installation at William J. Guste Elementary School, Original Contract: This project consists of design services for the roof removal and replacement of the existing built-up roof, vertical parapet flashings (where applicable), gutters and downspouts (where applicable), coping, and elevator installation at William J. Guste Elementary School.

10-H-52 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor:	Richard C. Lambert Consultants, LLC
Previous Contract:	Yes
Original Amount:	\$67,193.00
Amended Amount:	\$31,921.00
New Amount:	\$99,114.00
Contract Period:	06/17/10 to 06/17/13
Fund:	FEMA-Gustav
Competitive Process:	Yes

Description of Service: McDonogh #42 Elementary School (Roof) Project No.: 2010-0789-0001 , McDonogh #32 Elementary School (Roof) Project No.: 2010-0797-0001, McDonogh #28 Elementary School (Roof) Project No.: 2010-0796-0001, Various Roof And Repair Projects (RCL) Project No.: 2010-0790-0001 Einstein Charter School, Dr. Martin Luther King Charter School, Albert Wicker Elementary School, A. P. Tureaud Elementary School, Edgar P. Harney Elementary School, Harriet R. Tubman Elementary School, Joseph A. Hardin Elementary School, and M. Morial Elementary School, Amendment #2: This amendment adjusts the Designers Fee for basic services due to changes and addition to the scope of work. The changes are based on adding a perimeter fence at M. Morial Elementary School, exterior stabilization and floor repairs at McDonogh #42 Elementary School, and replacement of the roof at McDonogh #28 in lieu of spot repairs.

10-H-53 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approve the

following contract amendment:

Contractor:	Richard C. Lambert Consultants, LLC
Previous Contract:	Yes
Original Amount:	\$73,756.00
Amended Amount:	\$215,042.00
New Amount:	\$288,798.00
Contract Period:	01/21/10 to 01/21/12
Fund:	FEMA
Competitive Process:	Yes

Description of Service: Renovation of Auditorium at O. Perry Walker Senior High School, Amendment #1: This amendment adjusts the Designer's Fee for basic services required by the contract, based on the amount of available funds for construction, which has increased due to changes and addition to the scope of work for the renovation of the auditorium at O. Perry Walker Sr. High School.

10-H-54 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the following contract amendment:

Contractor:	VergesRome, APC
Previous Contract:	Yes
Original Amount:	\$71,004.26
Amended Amount:	\$6,960.00
New Amount:	\$77,964.26
Contract Period:	09/04/09 to 09/04/12
Fund:	Harrah's
Competitive Process:	Yes

Description of Service: Waterproofing Exterior Masonry at McDonogh #15 Elementary School, Roof Removal and Replacement at Dibert Elementary School, Gentilly Terrace Elementary School, Drew Elementary School and Emergency Boiler Roof Repairs at Frederick Douglas High School, Amendment #2: This amendment adjust the Designer's Fee for Basic Services required by the contract, which is based on the amount of available funds for construction, which has increased due to changes and addition to the scope of work for the roof removal and replacement at Drew Elementary School.

- 10-H-55 On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: "Consideration of a request from the State Superintendent of Education for waiver of the RSD Procurement Policy."
- 10-H-56 On motion of Mr. Bayard, seconded by Ms. Bradford, the Board deferred until January 2011: "Consideration of RSD contracts approved by the State Superintendent of Education, the Chair of Finance Committee, and the BESE President."
- 10-H-57 On motion of Ms. Buquet, seconded by Mr. Roemer, the Board approved as a Notice of Intent revisions to Bulletin 129, *The Recovery School District* (LAC 28:CXLV), Chapters 9, 13, 15, and 17.

\* \* \* \* \*

Ms. Johnson offered a motion, seconded by Mr. Givens, to reconsider Agenda Item 10-H-23.

A Roll Call Vote was taken.

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

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

Abstentions: None.

Absences: Mr. Guice.

The motion to reconsider failed. The initial motion recorded below stands.

- 10-H-23 On motion of Mr. Roemer, seconded by Mr. Garvey, the Board approved the recommendation of the State Superintendent of Education for schools transferred to the jurisdiction of the RSD pursuant to 17:10.5 and 17:10.7 authority following an initial five-year period in the RSD, as presented by the LDE.

Mr. Bayard, Ms. Johnson, and Ms. Givens were recorded as opposing the motion.

Mr. Lee was recorded as abstaining.

- Agenda Item 10-I      **State Authorized School Oversight Committee**      (Schedule 10)
- 10-I-1      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board deleted Consent Agenda Item III.A.1., "Consideration of a report on the Regional Educational Service Centers."
- 10-I-2      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board deleted Consent Agenda Item III.A.2, "Consideration of charter school issues and informational reports."
- 10-I-3      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board granted Brumfield vs. Dodd approval for the following schools:
- Word of God Academy (Caddo Parish),
  - Oaks Montessori School (Tangipahoa Parish), and
  - Stepping Stones Montessori School (Jefferson Parish).
- 10-I-4      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board received a report regarding the Virtual Education Study Group.
- 10-I-5      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board ratified the State Superintendent of Education's report of personnel actions for the BESE Special Schools (BSS) and the Special School District (SSD).
- 10-I-6      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board received the report on Northeast Supports and Services Center.
- 10-I-7      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board received a report from Education Finance staff concerning Type 2 charter school budgets and expenditure reports, including irregularities or concerns.
- 10-I-8      On motion of Mr. Garvey, seconded by Ms. Buquet, the Board approved a material amendment to the Type 4 charter governing the Louisiana School for the Agricultural Sciences, allowing the Avoyelles Parish School Board to add a seventh grade class during the 2010-2011 school year.
- 10-I-9      On motion of Buquet, seconded by Ms. Bradford, the Board approved a material amendment to the Type 2 charter governing The International School of Louisiana, allowing The International School of Louisiana, Inc., to expand its school to a second site on the west bank of Orleans Parish.

- 10-I-10 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board received the report regarding issues surrounding charter school requests to withdraw from the Teachers' Retirement System of Louisiana (TRSL).
- 10-I-11 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Acadiana's Operation We Care to operate Horizon Charter School in St. Landry Parish, as recommended by the LDE.
- 10-I-12 On motion of Mr. Roemer, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Amachi Charter Schools Association to operate Amachi Leadership Elementary Charter School in Orleans Parish, as recommended by the LDE.
- Ms. Givens was recorded as opposing the motion.
- 10-I-13 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Amachi Charter Schools Association to operate Central City Drop Back In Center Charter School in Orleans Parish, as recommended by the LDE.
- 10-I-14 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Amachi Charter Schools Association to operate Mid-City Drop Back In Center Charter School in Orleans Parish, as recommended by the LDE.
- 10-I-15 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Amachi Charter Schools Association to operate New Orleans East Drop Back In Center Charter School in Orleans Parish, as recommended by the LDE.
- 10-I-16 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Amachi Charter Schools Association to operate Ninth Ward Drop Back In Center Charter School in Orleans Parish, as recommended by the LDE.
- 10-I-17 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board approved the recommendation of the LDE and authorized Community School for Apprenticeship Learning, Inc. (CSAL), to commence operation of the Louisiana Virtual Academy (Type 2 charter school), based in Orleans Parish, for the 2011-2012 school year, subject to all of the following conditions being met:

(Motion continues on page 42)

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- renaming the proposed school to avoid any confusion with the Louisiana Virtual School (e.g., Louisiana Cyber Academy);
- Minimum Foundation Program funding at 90% of the state and local per pupil amount of the district in which the student resides, as calculated per charter school law; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-I-18 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board approved the recommendation of the LDE and authorized Friends of Louisiana Connections Academy to commence operation of Louisiana Connections Academy (Type 2 charter school) in East Baton Rouge Parish for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations;
- Minimum Foundation Program funding at 90% of the state and local per pupil amount of the district in which the student resides, as calculated per charter school law; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-I-19 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Greater Mount Olive Outreach Ministry, Inc., to operate S.C. Dixon Academy in East Baton Rouge Parish, as recommended by the LDE.

10-I-20 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board approved the recommendation of the LDE and authorized The Lycee Francais de la Nouvelle Orleans, Inc. (LFNO), to commence operation of The Lycee Francais de la Nouvelle Orleans (Type 2 charter school) in Orleans Parish for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-I-21 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board approved the recommendation of the LDE and authorized Lake Charles Charter Academy Foundation, Inc., to commence operation of Lake Charles Charter Academy (Type 2 charter school) in Calcasieu Parish for the 2011-2012 school year, subject to all of the following conditions being met:

- completion of the approved pre-opening checklist;
- addressing any special considerations set forth in the Evaluation and Recommendation Summary recommendations; and
- execution of the charter contract no later than April 29, 2011.

Further, the Board authorized the Board President to sign the charter contract only after the LDE verifies that the applicant has provided to the LDE the items in the pre-opening checklist that are due on or before April 29, 2011.

10-I-22 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Learn Louisiana to operate Imagine New Orleans Prep Academy in Orleans Parish, as recommended by the LDE.

10-I-23 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Louisiana Virtual Education Partners, Inc., to operate Kaplan Academy of New Orleans in Orleans Parish, as recommended by the LDE.

- 10-I-24 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Outreach Community Development Corporation to operate Harvest Preparatory Academy in Lafayette Parish, as recommended by the LDE.
- 10-I-25 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Pelican Educational Foundation, Inc., to operate Kenilworth Science and Technology High School in East Baton Rouge Parish, as recommended by the LDE.
- 10-I-26 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Pelican Educational Foundation, Inc., to operate Pelican Excellence Orleans K-12 in Orleans Parish, as recommended by the LDE.
- 10-I-27 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by Provost Academy Louisiana, Inc., to operate Provost Academy Louisiana in Orleans Parish, as recommended by the LDE.
- 10-I-28 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by The Delta Charter Group, to operate The Delta Charter School for Agriculture, Science and Technology in Concordia Parish, as recommended by the LDE.
- 10-I-29 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board denied the Type 2 charter school application submitted by The Upperroom Learner's Academy Charter School to operate The Upperroom Learner's Academy Charter School in Orleans Parish, as recommended by the LDE.
- 10-I-30 On motion of Mr. Garvey, seconded by Ms. Buquet, the Board approved as a Notice of Intent revisions to Bulletin 126, Charter Schools, regarding charter board composition.
- Agenda **Student/School Performance and Support Committee** (Schedule 11)  
Item 10-J
- 10-J-1 On motion of Mr. Bayard, seconded by Mr. Lee, the Board deleted Agenda Item III.A.1., "Consideration of a report on elementary and/or secondary elective courses, including nonpublic electives."
- 10-J-2 On motion of Mr. Bayard, seconded by Mr. Lee, the Board deleted Agenda Item III.A.2., "Consideration of an update report on LEAP, GEE, and iLEAP testing."

- 10-J-3 On motion of Mr. Bayard, seconded by Mr. Lee, the Board deleted Agenda Item III.A.3., "Consideration of a report regarding School Choice Implementation."
- 10-J-4 On motion of Mr. Bayard, seconded by Mr. Lee, 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. approved the request from The New Orleans Center for Creative Arts (NOCCA) for a permanent waiver retroactive to the 1980-1981 school year to allow students to earn physical education credit (P.E. I or P.E. II) for each of the 3-hour dance and theater courses, if needed, to meet the physical education requirements for graduation. Students needing P.E. I would receive one credit for P.E. I and two credits in their dance and theater discipline. Students needing P.E. II would receive 1/2 credit for P.E. II and 2 ½ credits in their dance and theater discipline. NOCCA received formal approval for this substitution from the Orleans Parish School Board in 1980 and, acting in good faith, has awarded P.E. credit for these classes since that time.
- 10-J-5 On motion of Mr. Bayard, seconded by Mr. Lee, the Board took the following action regarding requests from local education agencies for waiver of policy contained in Bulletin 1706, *Regulations for Implementation of the Children with Exceptionalities Act*, submitted by the State Superintendent of Education:
1. approved the request from the Ascension Parish School Board for a waiver to increase the pupil:teacher ratio of two itinerant teachers by one additional student each for their talented visual arts program. This increase will allow the itinerant visual arts teachers greater flexibility to group students and adjust their schedules as needed. The LDE will request an evaluation of this waiver to be submitted at the end of the school year.
- 10-J-6 On motion of Mr. Bayard, seconded by Mr. Lee, the Board approved the initial 2010-2011 Academic Classification for the following new nonpublic schools, as recommended by the LDE:
- First Baptist Christian Academy - Calcasieu Parish - Provisional Approval;
  - McKanstry Prep/Little Scholars Learning Academy - East Baton Rouge Parish - Provisional Approval;

(Motion continues on page 46)

- Prevailing Faith Christian Academy - Ouachita Parish - Provisional Approval; and
- Southern Christian School - East Baton Rouge Parish - Provisional Approval.

\* \* \* \* \*

The LDE provided Board members with a handout entitled, "December 2010 LDE Recommendations for Policy Changes to Bulletin 111," related to letter grades for schools in the school and district accountability system, noting an amendment to the SPS range for Letter Grade A and the inclusion of information stating that the LDE should identify all schools that have selective, non-traditional academic admissions requirements.

Discussion followed.

Mr. Lee offered a motion, seconded by Ms. Givens, to approve as a Notice of Intent revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*: Chapter 11. Performance Labels, §1101. Performance Labels, §1102. Academic Watch and Academically Unacceptable Schools (AUS), §1103. Honor Rolls, and §1601. Entry into and Exit from Academically Unacceptable School Status, in accordance with Act 718 of the 2010 Regular Legislative Session, as presented by the LDE.

Discussion followed.

Mr. Bennett offered a substitute motion, seconded by Mr. Garvey, to approve as a Notice of Intent revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*: Chapter 11. Performance Labels, §1101. Performance Labels, §1102. Academic Watch and Academically Unacceptable Schools (AUS), §1103. Honor Rolls, and §1601. Entry into and Exit from Academically Unacceptable School Status, in accordance with Act 718 of the 2010 Regular Legislative Session, as presented by the LDE. Further, that the Board direct the LDE to include an explanation of the percentage of students who are performing both above and below basic for each letter grade.

Discussion followed.

(Continues on page 47)

Mr. Roemer offered a substitute motion, seconded by Ms. Givens, to approve as a Notice of Intent revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*: Chapter 11. Performance Labels, §1101. Performance Labels, §1102. Academic Watch and Academically Unacceptable Schools (AUS), §1103. Honor Rolls, and §1601. Entry into and Exit from Academically Unacceptable School Status, in accordance with Act 718 of the 2010 Regular Legislative Session, as presented by the LDE. Further, that the Board direct the LDE to:

- include an explanation of the percentage of students who are performing both above and below basic for each letter grade,
- remove the letter grade increase for meeting a growth target and instead, reward any school meeting its Growth Target with a “+” listed with its letter grade, and
- identify with a “-” listed with its letter grade any school whose SPS has declined from the previous year.

Discussion followed.

Public comments were received from Superintendent Patrice Pujol, Ascension Parish School System, and Ms. Brigitte Nieland, Louisiana Association of Business and Industry (LABI).

The Chair stated that a Roll Call Vote would be taken on Mr. Roemer’s substitute motion.

10-J-7

On motion of Mr. Roemer, seconded by Ms. Givens, the Board approved as a Notice of Intent revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*: Chapter 11. Performance Labels, §1101. Performance Labels, §1102. Academic Watch and Academically Unacceptable Schools (AUS), §1103. Honor Rolls, and §1601. Entry into and Exit from Academically Unacceptable School Status, in accordance with Act 718 of the 2010 Regular Legislative Session, as presented by the LDE. Further, the Board directed the LDE to:

- include an explanation of the percentage of students who are performing both above and below basic for each letter grade,
- remove the letter grade increase for meeting a growth target and instead, reward any school meeting its Growth Target with a “+” listed with its letter grade, and
- identify with a “-” listed with its letter grade any school whose SPS has declined from the previous year.

(Motion continues on page 48)

A Roll Call Vote was taken.

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

Nays: Mr. Bayard, Mr. Bennett, Ms. Johnson, and Mr. Lee.

Abstentions: None.

Absences: Mr. Guice.

The motion passed.

10-J-8 On motion of Mr. Bayard, seconded by Mr. Lee, the Board deleted Agenda Item IV.A.1., "Consideration of the Common Core Standards Initiative."

10-J-9 On motion of Mr. Bayard, seconded by Mr. Lee, the Board approved the recommendations of the LDE, the Textbook Adoption Committee, and the Textbook/Media/Library Advisory Council regarding the high school life science textbooks that were reviewed for adoption.

Mr. Bayard and Ms. Givens were recorded as being opposed to the motion.

10-J-10 On motion of Mr. Bayard, seconded by Mr. Lee, the Board received the report on the policy regarding the graduation index being weighted by the graduation rate.

10-J-11 On motion of Mr. Bayard, seconded by Mr. Lee, the Board received the report regarding the effectiveness of the new compulsory attendance policy requiring students to have a 94% attendance rate in order to obtain Carnegie credit for courses taken.

10-J-12 On motion of Mr. Bayard, seconded by Mr. Lee, the Board received the report regarding: "Consideration of policy recommendations regarding criminal records/ background checks for center staff of any after-school program in response to issues raised in the letter from Colleen L. Kirchem, New Orleans Outreach Operations Manager, to James D. Caldwell, Attorney General, dated January 13, 2010."

10-J-13 On motion of Mr. Bayard, seconded by Mr. Lee, the Board approved as a Notice of Intent revisions to Bulletin 119, *Louisiana School Transportation Specifications and Procedures*: §303. Certification of School Bus Drivers, §307. Retaining School Bus Drivers, §501. Driver Training Program, §1303. Emergency Exit Drills, §1307. Student Helpers, §1501. Routes:

(Motion continues on page 49)

Authority and Responsibilities, §1903. Transportation of Students Living Within One Mile of School of Attendance, §2101. Transporting Students with Disabilities, §2305. Definitions and of School Bus Types, and §2515. Repair of School Buses.

- 10-J-14 On motion of Mr. Bayard, seconded by Mr. Lee, the Board deferred consideration of revisions to Bulletin 1706, *Regulations for Implementation of the Children with Exceptionalities Act*. Subpart 1. Regulations for Students with Disabilities.
- 10-J-15 On motion of Mr. Bayard, seconded by Mr. Lee, the Board approved as a Notice of Intent revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §337. Written Policies and Procedures and §1302. Classroom Management Training for School Staff.
- 10-J-16 On motion of Mr. Bayard, seconded by Mr. Lee, the Board deferred: "Consideration of revisions to Bulletin 741, *Louisiana Handbook for School Administrators*, related to seat time requirements."
- 10-J-17 On motion of Mr. Bayard, seconded by Mr. Lee, the Board approved as a Notice of Intent revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §337. Written Policies and Procedures and §701. Maintenance and Use of System Records and Reports.

At this point in the meeting, Ms. Dastugue relinquished the Chair to Mr. Jim Garvey, Vice-President.

Agenda **Board Advisory Council Reports**  
Item 11

Agenda **Nonpublic School Commission** (Schedule 12)  
Item 11-A

On motion of Mr. Bennett, seconded by Ms. Bradford, the Board received the minutes of the Nonpublic School Commission meeting held November 3, 2010, and approved the tentative agenda for January 4, 2011.

Agenda **Superintendents' Advisory Council** (Schedule 13)  
Item 11-B

On motion of Mr. Bennett, seconded by Ms. Bradford, the Board received the minutes of the Superintendents' Advisory Council meeting held November 4, 2010, and approved the tentative agenda for February 4, 2011.

Agenda Item 11-C      **Textbook/Media/Library Advisory Council**      (Schedule 14)

On motion of Mr. Bennett, seconded by Ms. Bradford, the Board received the minutes of the Textbook/Media/Library Advisory Council meeting held November 12, 2010, and approved the tentative agenda for a meeting to be determined.

Agenda Item 12      **Board Advisory Council Appointments**      (Schedule 15)

On motion of Mr. Lee, seconded by Ms. Givens, the Board approved the appointment of Ms. Stafford Palmieri to the School and District Accountability Commission, upon the recommendation of Governor Bobby Jindal. Ms. Palmieri replaces Ms. Erin Bendily on the Commission.

On motion of Mr. Lee, seconded by Ms. Givens, the Board approved the appointment of Superintendent Robert Webber to the Textbook/Media/Library Advisory Council, upon the recommendation of Governor Bobby Jindal. Superintendent Webber fills a vacancy on the Council.

Agenda Item 13      **Received and/or Referred**

Agenda Item 13-A      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the Literacy and Numeracy Committee: "Consideration of approving a kindergarten readiness definition."      (Schedule 16)

Agenda Item 13-B      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the Quality Leaders/Educators Committee: "Consideration of a report on the Louisiana Statewide Staffing Initiative."      (Schedule 17)

Agenda Item 13-C      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the State Authorized School Oversight Committee: "Consideration of revisions to the Health Center Policy and Procedures Manual for Louisiana Schools for the Deaf and Visually Impaired (LSDVI)."      (Schedule 18)

Agenda Item 13-D      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the State Authorized School Oversight Committee: "Consideration of revisions to the Accountability Manual for the BESE Special Schools (BSS) and the Special School District (SSD)."      (Schedule 19)

Agenda Item 13-E      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the Student/School Performance and Support Committee: “Consideration of LDE recommendations for appeal requests related to 2009-2010 Accountability Data.” (Schedule 20)

Agenda Item 13-F      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the Student/School Performance and Support Committee: “Consideration of approval of Anatomy and Physiology as an equivalent to advanced science courses in the TOPS Core.” (Schedule 21)

Agenda Item 13-G      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the Student/School Performance and Support Committee: “Consideration of revisions to Bulletin 741, *Louisiana Handbook for School Administrators*,” required by Act 972 and Act 698 of the 2010 Regular Legislative Session. (Schedule 22)

Agenda Item 13-H      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the Student/School Performance and Support Committee and to the Nonpublic School Commission: “Consideration of revisions to Bulletin 741, *Louisiana Handbook for School Administrators*, and Nonpublic Bulletin 741, *Louisiana Handbook for Nonpublic School Administrators*,” regarding Religious Studies courses. (Schedule 23)

Agenda Item 13-I      On motion of Ms. Givens, seconded by Ms. Buquet, the Board received and referred to the Student/School Performance and Support Committee: “Consideration of revisions to Bulletin 1196, *Louisiana Food and Nutrition Programs, Policies of Operation*,” required by Act 306 of the 2009 Regular Legislative Session. (Schedule 24)

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On motion of Ms. Johnson, seconded by Ms. Givens, the Board received and referred to the Recovery School District Committee: “Consideration of the LDE’s plan for neighborhood schools in New Orleans so that at least 50% of the incoming students have the right to enter schools in their neighborhood.”

At this point in the meeting, Ms. Dastugue resumed the Chair.

Agenda  
Items 14  
and 15

On motion of Ms. Givens, seconded by Ms. Buquet, the Board went into Executive Session at 12:18 p.m. to discuss litigation concerning:

Agenda Item 14

- A. Louisiana High School Athletic Association, Inc. vs. State of Louisiana, et al., 19<sup>th</sup> Judicial District Court, State of Louisiana, No. 596375, Section 27.
- B. Cassandra Berry, et al. vs. Paul Pastorek, et al., United States District Court, Eastern District, Civil Action Number 10-4049 C(4).

Agenda Item 15

- A. Orleans Parish School Board vs. Paul G. Pastorek, in his capacity as State Superintendent of Education; Erin Bendily, in her capacity as Director of Charter Schools for the Louisiana State Board of Elementary and Secondary Education; the Louisiana Department of Education; and the Louisiana State Board of Elementary and Secondary Education, Docket No. 10-11454, Division I, Civil District Court, Orleans Parish.
- B. Louisiana Federation of Teachers, East Baton Rouge Federation of Teachers, Jefferson Federation of Teachers, Vernon L. Bolden, Venice Gunner-Holiday, Teri Ann Johnson and Rachel Rasbery vs. State of Louisiana and the Board of Elementary and Secondary Education, Docket No. 592208, 19th Judicial District Court, Section 24, East Baton Rouge Parish.
- C. Ray Hays as successor to Susan Hays vs. Louisiana State Board of Elementary and Secondary Education, Docket No. 2010-C-1640, Supreme Court of Louisiana.

A Roll Call Vote was taken.

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

Nays: None.

Abstentions: None.

Absent: Mr. Guice and Mr. Lee.

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The Roll Call Vote on the motion to go into Executive Session passed. It was noted that no votes would be taken while the Board was in Executive Session; all votes would be made in public.

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On Point of Personal Privilege, Ms. Givens recognized Senator Karen Carter Peterson and Representative Patricia Haynes Smith. Senator Peterson thanked the Board for recognizing the need to create objective criteria for handling charter school applications. She encouraged the Board to convey the process to the public as soon as possible.

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On motion of Ms. Bradford, seconded by Mr. Bennett, the Board reconvened into Regular Session at 12:48 p.m. A quorum was present.

Agenda  
Items 14  
and 15

No further action was taken regarding Agenda Item 14, Consideration of an Executive Session regarding litigation concerning:

Agenda Item 14

- A. Louisiana High School Athletic Association, Inc. vs. State of Louisiana, et al., 19th Judicial District Court, State of Louisiana, No. 596375, Section 27.
- B. Cassandra Berry, et al. vs. Paul Pastorek, et al., United States District Court, Eastern District, Civil Action Number 10-4049 C(4).

Agenda Item 15

- A. Orleans Parish School Board vs. Paul G. Pastorek, in his capacity as State Superintendent of Education; Erin Bendily, in her capacity as Director of Charter Schools for the Louisiana State Board of Elementary and Secondary Education; the Louisiana Department of Education; and the Louisiana State Board of Elementary and Secondary Education, Docket No. 10-11454, Division I, Civil District Court, Orleans Parish.
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- C. Ray Hays as successor to Susan Hays vs. Louisiana State Board of Elementary and Secondary Education, Docket No. 2010-C-1640, Supreme Court of Louisiana.

With no further business to come before the Board, the meeting was adjourned at 12:49 p.m.