

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 April 8, 2011

LOUISIANA STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

APRIL 8, 2011

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

The Louisiana State Board of Elementary and Secondary Education met in special session on April 8, 2011, in the Louisiana Purchase Room, located in the Claiborne Building in Baton Rouge, Louisiana. The meeting was called to order at 9:14 a.m. by Board President Penny Dastugue.

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

Agenda Item 3 On motion of Ms. Buquet, seconded by Ms. Johnson, the Board approved the agenda, as printed and disseminated, with the addition of Emergency Agenda Items 24 – 26. (Schedule 1)

Agenda Item 4 On motion of Ms. Givens, seconded by Ms. Bradford, the Board approved the minutes of the Board meeting held February 17, 2011.

At this point in the meeting, the Board agreed to take Agenda Item 23, "Consideration of granting the State Superintendent of Education authority to appoint a RSD superintendent," out of order.

Lengthy discussion followed.

Public comments regarding Agenda Item 23 were received from Ms. Lee Barrios, charter member of the Coalition for Public Education and Louisiana Public Education Solutions, Vice-President of the Gifted and Talented Association in St. Tammany Parish, and recently retired national board certified teacher.

Agenda Item 23 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board approved the State Superintendent of Education's appointment of John White as the Superintendent of the Recovery School District.

A Roll Call Vote was taken.

(Motion continues on page 2)

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

Nays: Mr. Bayard.

Abstentions: Ms. Givens, Mr. Guice, and Ms. Johnson.

Absences: None.

The motion passed. (Schedule 2)

Mr. John White stated that it is an extraordinary privilege to serve in the capacity of Superintendent of the Recovery School District. Louisiana and New Orleans are beacons to those who have dedicated their lives to children whose educational welfare has not been well served across the country and because the privilege is a universal privilege, to be asked to serve the children of Louisiana and New Orleans is the privilege of a lifetime. The Board’s vision of a system of excellent schools that ensure college and career readiness for every student is inspiring. Mr. White stated that he looks forward to many conversations with respect to developing plans with the community in New Orleans and with the broader community of educators, parents, students, and teachers in Louisiana.

Ms. Johnson suggested that it may be time to have a retreat with the new RSD Superintendent to: review the mission of the RSD, determine what the next phase of this reform should be, and set the course for the RSD, based on the Board’s vision.

Ms. Dastugue stated that Ms. Johnson’s suggestion could certainly be a component of the next BESE retreat, or it can be further developed into a policy forum discussion. She requested that Ms. Johnson and Ms. Givens discuss this further and provide a recommendation to the Board on how to best handle this topic.

The Board returned to the regular agenda order.

Agenda **Notices of Intent**
Item 5

Agenda **Notices of Intent duly advertised in the January 2011 issue of the Louisiana Register and ready for final adoption.**
Item 5-A

There were no Notices of Intent submitted to the *Louisiana Register* for publication in January 2011.

- Agenda Item 5-B **Notices of Intent duly advertised in the February 2011 issue of the Louisiana Register and ready for final adoption after May 21, 2011.**
- Agenda Item 5-B-1 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*: §1101. Letter Grades, §1102. Academic Watch and Academically Unacceptable Schools (AUS), §1103. Honor Rolls, and §1601. Entry into Academically Unacceptable School Status.
- NOTE:** Ms. Johnson stated that written public comments regarding the proposed policy on letter grades will be accepted until 4:30 p.m. on Monday, April 11, 2011. Any public comments that are received will be presented to the Board for consideration during Committee meetings in June 2011.
(Schedule 3)
- Agenda Item 5-B-2 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 126, *Charter Schools*: §2101. Board of Director Composition.
- Agenda Item 5-B-3 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 129, *The Recovery School District*: §901. Certification of Personnel, §903. Non-Discrimination, §905. Professional Development, §1301. Jurisdictional Responsibility for the Maintenance and Repair of School Facilities, §1303. Maintenance of School Facilities, §1305. RSD Schools Assigned to Charter Operators, §1307. Responsibilities of Charter Operators, §1501. Communications, §1503. Outreach, §1507. Participation, §1701. Performance Measures, §1703. Reporting, and §1705. Procedures for Academic Assistance.
- Agenda Item 5-B-4 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §337. Written Policies and Procedures and §701. Maintenance and Use of System Records and Reports.
- Agenda Item 5-B-5 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §337. Written Policies and Procedures and §1302. Classroom Management Training for School Staff.
- Agenda Item 5-B-6 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §601. Introduction.

Agenda Item 5-B-7 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §625. Requirements to add Early Interventionist Birth through Kindergarten.

Agenda Item 5-B-8 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved for final adoption revisions to Bulletin 1929, *Louisiana Accounting and Uniform Governmental Handbook*: §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).

At this point in the meeting, State Superintendent of Education Pastorek stated that Mr. White will assume his role as Superintendent of the Recovery School District on May 1, 2011. Mr. Vallas will continue to serve as Superintendent of the Recovery School District until that time.

Agenda Item 6 **Committee of the Whole (COW)**

Agenda Item 6-A1 **Administration and Finance Committee (COW)** (Schedule 4)

6-A1-1 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board received the RSD contracts of \$50,000 and under approved by the State Superintendent of Education.

6-A1-2 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board received the RSD contracts approved by the State Superintendent of Education, the Co-Chairs of Administration and Finance Committee, and the BESE President.

Recovery School District – Special Consideration

Recovery School District

6-A1-3 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved the following contract amendment:

(Motion continues on page 5)

Contractor: Communities in Schools of New Orleans, Inc.
 Previous Contract: Yes
 Original Amount: \$60,000.00
 Amended Amount: \$30,000.00
 New Contract Amount: \$90,000.00
 Contract Period: 08/15/2010 - 06/30/2011
 Fund: Safe Schools Healthy Students
 Competitive Process: No, Education Program Specialist

Description of Service: Services to be provided will be one staff member at Cohen High School, five days a week, to coordinate and provide case management services to SSHS participants program.

6-A1-4 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved the following contract:

Contractor: Johns Hopkins University
 Previous Contract: No
 Original Amount: \$200,000.00
 Contract Period: 09/01/2010 - 07/30/2011
 Fund: Hurricane Katrina Foreign Contribution Fund/Walton Family Foundation Grant
 Competitive Process: No, Education Program Specialist

Description of Service: Multi-intervention educational services designed to reduce dropout rates among 9th grade students attending Sarah T. Reed High School and Walter L. Cohen High School.

6-A1-5 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board received the request from the State Superintendent of Education for waiver of the RSD Procurement Policy. There were no requests for waiver of the RSD Procurement Policy.

Agenda **School Innovation and Turnaround Committee (COW)** (Schedule 5)
 Item 6-A2

6-A2-1 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the information on Types 2, 4, and 5 charter contracts and requests for amendments. There were none.

- 6-A2-2 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board:
- a. approved Change Orders #004 and #005 for the removal of asbestos containing material in the spray-on fireproofing for the structural steel in Building "M" and "N" for the Demolition of George Washington Carver High School. Change Order #004 is for \$85,019.72 and Change Order #005 is for \$85,019.72;
 - b. authorized the BESE President and the Co-Chairs of the School Improvement and Turnaround Committees to approve a total of \$170,039.44 for the two Change Orders. The final action shall be reported to the BESE Board at the next regularly scheduled Committee meeting; and
 - c. directed the RSD to submit the approved Change Order for consideration and approval at the next regularly scheduled meeting of the Joint Legislative Committee on the Budget.
- 6-A2-3 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received an update report on Capital Projects.
- 6-A2-4 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board deferred until the next Board meeting: "Consideration of the extension of the charters for Types 2, 4, and 5 charter schools in the third year of operation and the renewal of the charters for charter schools in the fifth year of operation or those in the final year of their charter."
- 6-A2-5 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the information on LDE's plan for neighborhood schools in New Orleans so that at least 50 percent of the incoming students have the right to enter schools in their neighborhood.

Agenda
Item 7

Board Advisory Council Reports

Agenda
Item 7-A

Special Education Advisory Council

(Schedule 6)

On motion of Ms. Johnson, seconded by Ms. Buquet, the Board received the minutes of the Special Education Advisory Council meeting held February 24, 2011, and approved the tentative agenda for May 4, 2011.

- Agenda Item 8 **Board Advisory Council Appointments** (Schedule 7)
- On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the appointment of Mr. John Smith to the School and District Accountability Commission upon the recommendation of Mr. Nolton J. Senegal, Executive Director of the Louisiana School Boards Association. Mr. Smith replaces Ms. Julia Hildebrand on the Commission.
- Agenda Item 9 On motion of Ms. Johnson, seconded by Ms. Bradford, the Board delegated to the State Superintendent of Education, or his designees, the authority to endorse or oppose any proposed legislation, in whole or in part, based on previous actions and positions of the Board. Further, the Board authorized the Board President to appoint no more than five Board members to serve on a legislative working group to receive updates and provide counsel to the State Superintendent of Education, or his designees, during the Legislative Session. It was noted that there would be communication between the legislative working group and all Board members and that the position of all Board members would be reflected in comments made to the Legislature. (Schedule 8)
- Agenda Item 10-A On motion of Ms. Buquet, seconded by Ms. Johnson, the Board received the information on the budget revisions for 8(g) Statewide Programs, S052 (Local Teacher Quality Program) and S022 (Louisiana Educational Leaders Induction Program). (Schedule 9)
- Agenda Item 10-B On motion of Ms. Buquet, seconded by Ms. Johnson, the Board ratified the changes to the FY 2010-2011 8(g) Program and Budget resulting from the budget revisions to 8(g) Statewide Programs, S052 (Local Teacher Quality Program) and S022 (Louisiana Educational Leaders Induction Program). (Schedule 10)
- Agenda Item 11-A1 On motion of Ms. Johnson, seconded by Mr. Bennett, the Board approved the proposed program, budget, and guidelines for statewide program, Louisiana Renaissance Language Immersion Program, (S072), (LDE), for FY 2011-2012. (Schedule 11)
- Agenda Item 11-A2 On motion of Ms. Johnson, seconded by Mr. Bennett, the Board approved the proposed program and budget for statewide program, Louisiana Virtual School, (S019), (LDE), for FY 2011-2012. (Schedule 12)

Agenda Item 11-A3 On motion of Ms. Johnson, seconded by Mr. Bennett, the Board approved the proposed program, budget, and guidelines for statewide program, TAP: The System for Teacher and Student Advancement, (S060), (LDE), for FY 2011-2012. (Schedule 13)

Agenda Item 11-A4 On motion of Ms. Johnson, seconded by Mr. Bennett, the Board approved the proposed program and budget for statewide program, Everybody Graduates!, (S063), (LDE), for FY 2011-2012. (Schedule 14)

Agenda Item 11-A5 On motion of Ms. Johnson, seconded by Mr. Bennett, the Board approved the proposed program and budget for statewide program, Louisiana School Turnaround Specialist Program, (S057), (LDE), for FY 2011-2012. (Schedule 15)

Agenda Item 12 **Consideration of LDE, SSD, and BSS contracts and leases for "Action" and "Special Consideration."**

Special Consideration

Office of Federal Program Support

12-1 On motion of Ms. Givens, seconded by Ms. Bradford, the Board approved the following contract amendment:

Contractor:	Louisiana State University
Previous Contract:	Yes
Original Amount:	\$686,855.00
Amended Amount:	\$451,442.00
New Contract Amount:	1,138,297.00
Begin Date:	07/01/2010
Original Ending Date:	06/30/2011
Revised Ending Date:	02/28/2012
Fund:	Federal-OEIA IDEA School Improvement
Competitive Process:	No - Interagency Agreement

Description of Service: This contract is being amended to extend services to support the activities of the Louisiana State Improvement Grant (LaSIG)/State Personnel Development Grant (SPDG) at both the state and district levels. Services will be extended to February 28, 2012. The original contract was awarded at \$686,855 and the amended amount is \$451,442

(Motion continues on page 9)

for a total of \$1,138,297. The purpose of this Interagency Agreement is to have LSU provide support to Louisiana's State Improvement Grant (LaSIG)/State Personnel Development Grant (SPDG) at both the state and district levels by funding the LaSIG/SPDG Project Co-Director, Coordinator, Facilitator, Site Liaisons and Evaluator/Internal Effectiveness positions. This agreement is designed to ensure that the goals and objectives of LaSIG/SPDG are achieved. The LASIG/SPDG is designed to improve systems of professional development and service delivery at the state level and improve student outcomes at the district, campus, and individual levels. The contract is designed to: 1) assist in the development and coordination of the LaSIG/SPDG activities; and 2) to fulfill the goals and objectives of this federally funded project. Federal funds are available through the State Personnel Development Grant award to cover the cost of this contract. An amendment is needed to expand the scope of the grant activities until 02/28/2012. (Schedule 16)

- 12-2 On motion of Ms. Givens, seconded by Ms. Bradford, the Board approved the following contract amendment:

Contractor:	Options for Independence
Previous Contract:	Yes
Original Amount:	\$49,926.00
Amended Amount:	\$23,490.00
New Amount:	\$73,416.00
Begin Date:	07/01/2010
Original Ending Date:	06/30/2011
Revised Ending Date:	02/28/2012
Fund:	Federal- OEIA IDEA School Improvement
Competitive Process:	No - Exempted by R.S. 39:1494.1

Description of Service: This contract is being amended to extend services to support the activities of the Louisiana State Improvement Grant (LaSIG)/State Personnel Development Grant (SPDG) at both the state and district levels. Services will be extended to February 28, 2012. The original contract was awarded at \$49,926 and the amended amount is \$23,490 for a total of \$73,416. The purpose of this contract is to provide support for the Louisiana State Personnel Development Grant (SPDG) at both the state and district levels. The contract will also provide a SPDG Family Coordinator who will support the SPDG efforts as they relate to family involvement and systematic change within the school districts. The SPDG Family Coordinator will: 1) work directly with project staff, Families Helping

(Motion continues on page 10)

Families, Regional Resource Centers, Parent Training Centers, Family Facilitators, The ARC of Louisiana, and People First of Louisiana to coordinate family and consumer activities; 2) serve on the management team; 3) assist in the evaluation of SPDG project activities by securing feedback. This contract is needed to assist in the implementation of the LaSIG. Funds are available through the State Personnel Development Grant (SPDG) award to cover the cost of this contract. (Schedule 16)

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NOTE: Initial action taken on Agenda Item 12-3 regarding the contract amendment with Data Recognition Corporation was reconsidered later in the meeting. See Motion 12-3 on page 12 for the Board’s final action on this item.

Agenda Item 13 On motion of Ms. Buquet, seconded by Ms. Johnson, the Board received the LDE contracts of \$50,000 and under approved by the State Superintendent of Education. (Schedule 17)

Agenda Item 14 **Consideration of RSD contracts and leases for “Action” and “Special Consideration.”**

Recovery School District – Special Consideration

Recovery School District

14-1 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved the following contract amendment:

Contractor: Chenevert Architects, LLC
Previous Contract: Yes
Original Amount: \$150,387.95
Amended Amount: \$0.00
New Contract Amount: \$150,387.95
Begin Date: 12/03/2009
Amended End Date: 06/30/2012
Fund: FEMA
Competitive Process: Yes

Description of Service: Demolition of George Washington Carver High School. This Amendment adjusts the Designer's contract end date for the Demolition of George Washington Carver High School from 06/30/2011 to 6/30/2012. (Schedule 18)

14-2 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved the following contract amendment:

Contractor:	Sher Garner Cahill Richter Klein & Hilbert, LLC
Previous Contract:	Yes
Current Amount:	\$75,000.00
Amended Amount:	\$75,000.00
New Amount:	\$150,000.00
Contract Period:	01/01/2010 - 12/31/2011
Fund:	MFP/IAT
Competitive Process:	No, True Professional

Description of Service: The amendment to the contract provides for additional legal representation to the Recovery School District in litigation or potential litigation matters. (Schedule 18)

14-3 On motion of Mr. Roemer, seconded by Ms. Johnson, the Board approved the following contract amendment:

Contractor:	VergesRome Architects, APC
Previous Contract:	Yes
Current Amount:	\$2,802,016.10
Amended Amount:	\$0.00
New Amount:	\$2,802,016.10
Begin Date:	06/15/2007
Current End Date:	06/15/2011
Amended End Date:	06/15/2012
Fund:	FEMA
Competitive Process:	Yes

Description of Service: This amendment adjusts the designer's contract end date for Lake Area High School from 06/15/2011 to 06/15/2012. (Schedule 18)

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On motion of Ms. Givens, seconded by Mr. Roemer, the Board agreed to reconsider Agenda Item 12-3 regarding the contract amendment with Data Recognition Corporation.

Student and School Performance

12-3 On motion of Ms. Givens, seconded by Ms. Johnson, the Board approved the following contract amendment:

Contractor:	Data Recognition Corporation
Previous Contract:	Yes
Original Amount:	\$76,810,717.00
Amended Amount:	\$44,407,871
New Amount:	\$121,218,588.00
Begin Date:	07/01/2005
Original Ending Date:	06/30/2011
Revised Ending Date:	06/30/2015
Fund:	State-SSP Criterion Reference Testing Leap Acct. Test/Federal-IDEA B Alternative Assessment
Competitive Process:	Yes

Description of Service: Through this contract, Data Recognition Corporation (DRC) provides support services related to Louisiana's current assessment program, which includes: development of test forms, printing, distributing and collecting materials, scoring and reporting, and all psychometric services for LEAP, GEE, LAA 1, LAA 2 and ELDA. This amendment is necessary to ensure continuity in the overall administration of the current statewide assessment program as the state moves toward full implementation of the common standards and common assessments aligned with these standards. Continuity during the transition will ensure that students, schools, and districts are measured in a consistent manner over time. Full implementation of the new assessment program will occur in 2014-2015, which coincides with the new end date of this contract. This amendment results in an increase of \$44,407,871.00 and adds an additional four years to the original 6 year contract period. The justification is State Law, BESE policy, and the Federal No Child Left Behind Legislation.
(Schedule 16)

The Board returned to the regular agenda order.

Agenda Item 15 On motion of Mr. Bennett, seconded by Ms. Bradford, the Board approved, as a Notice of Intent, revisions to Nonpublic Bulletin 741, *Louisiana Handbook for Nonpublic School Administrators*: §2335. Course Credit for Religious Studies, §2331. Social Studies, and §2109. High School Graduation Requirements, to include the Religious Studies courses, World Religions and the History of Religion.
(Schedule 19)

Agenda Item 16 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved, as a Notice of Intent, revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System: §2401*. Recovery School District and §2403. Transfer of Schools out of the Recovery School District, to comply with the December 2010 RSD policy adoption governing the transfer of schools that have been under the jurisdiction of the RSD for five years.

Ms. Givens was recorded as being opposed to the motion.

(Schedule 20)

The Board agreed to take Agenda Item 17-E, regarding McDonogh 15 A KIPP Transformation School, out of order.

Agenda Item 17-E On motion of Ms. Bradford, seconded by Mr. Roemer, the Board deleted from the agenda consideration of a request for an amendment to the charter governing McDonogh 15 A KIPP Transformation School, chartered by KIPP New Orleans, Inc. It was noted that the LDE determined that the request was not a material amendment because the LA-4 Program is not part of the Minimum Foundation Program, in terms of school funding. (Schedule 21)

The Board returned to the regular agenda order.

Public comments regarding Agenda Item 17-A, Capitol Pre-College Academy for Boys, were received from Mr. Winston G. DeCuir, Jr., President of the Board of Directors of 100 Black Men Capitol Charter Initiative, Inc.

Agenda Item 17-A On motion of Ms. Givens, seconded by Ms. Johnson, the Board approved the request for a material amendment to the charter governing Capitol Pre-College Academy for Boys, chartered by 100 Black Men Charter Initiative, to remove Edison Learning as the education management organization, as recommended by the LDE. (Schedule 22)

Agenda Item 17-B On motion of Ms. Givens, seconded by Ms. Johnson, the Board approved the request for a material amendment to the charter governing Capitol Pre-College Academy for Girls, chartered by 100 Black Men Charter Initiative, to remove Edison Learning as the education management organization, as recommended by the LDE. (Schedule 23)

Agenda Item 17-C On motion of Ms. Givens, seconded by Mr. Roemer, the Board approved the request for a material amendment to the charter governing New Orleans College Preparatory Academy Charter School, chartered by New Orleans College Preparatory Academies, Inc., to begin a 5th grade class in the 2011-2012 school year using 50 seats currently allocated for 6th grade, keeping the overall enrollment numbers the same as currently projected, as recommended by the LDE. (Schedule 24)

Public comments regarding Agenda Item 17-D, Lafayette Academy, were received from Mr. Mickey Landry, Principal.

Agenda Item 17-D On motion of Ms. Givens, seconded by Mr. Garvey, the Board approved the request for a material amendment to the charter governing Lafayette Academy, chartered by Choice Foundation, Inc., to expand its enrollment capacity from 650 students to 900 students in order to accommodate an 8th grade class, as recommended by the LDE. (Schedule 25)

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Agenda Item 17-F Ms. Johnson offered a motion, seconded by Ms. Givens, that the Board approve the request for a material amendment to the charter governing Kenilworth Science and Technology Charter School, chartered by Pelican Educational Foundation, Inc., to expand current grade levels served by adding only grade 9 at this time.

Lengthy discussion followed.

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Mr. Bennett offered a substitute motion, seconded by Mr. Garvey, that the Board defer until June 2011: "Consideration of a report on Types 2, 4, and 5 charter contracts and requests for amendments: F. Kenilworth Science and Technology Charter School."

Discussion followed.

Ms. Dastugue stated that the Board would vote on Mr. Bennett's substitute motion.

17-F-1 On motion of Mr. Bennett, seconded by Mr. Garvey, the Board deferred until June 2011: "Consideration of a report on Types 2, 4, and 5 charter contracts and requests for amendments: F. Kenilworth Science and Technology Charter School."

A Roll Call Vote was taken.

Yeas: Mr. Bayard, Mr. Bennett, Ms. Bradford, Mr. Garvey, Mr. Guice, and Mr. Lee.

Nays: Ms. Buquet, Ms. Givens, Ms. Johnson, and Mr. Roemer.

Abstentions: None.

Absences: None.

As presiding officer, Ms. Dastugue exercised her right to not vote.

The motion passed. (Schedule 26)

17-F-2 On motion of Mr. Garvey, seconded by Mr. Bennett, the Board authorized the LDE to approve the request for a material amendment to the charter governing Kenilworth Science and Technology Charter School, chartered by Pelican Educational Foundation, Inc., to expand current grade levels by one grade level, as soon as School Performance Scores meeting the Board's standard are received. (Schedule 26)

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Ms. Givens requested that the LDE provide her with a list of all the amendments that have been made to school grade configurations in the Recovery School District for review as soon as possible.

In regard to the 2011 Request for Applications for Types 2, 4, and 5 charters, Ms. Johnson strongly suggested that the following statement be revised because she feels it is unfair to individuals who have never operated a school:

- Strongly weigh an applicant's ability to demonstrate prior success in raising student academic achievement.

Ms. Givens suggested that, while the LDE is listing standards for applicants, if there is a charter school that is presently in existence and is applying to take over more schools that the same standards that LDE proposed earlier - such as an average grade of C, their schools have demonstrated academic growth and progress, etc. - be applied to them as well.

Ms. Buquet and Ms. Bradford stated that they share Ms. Johnson's concern about the statement regarding the applicant's ability to demonstrate prior success in raising student academic achievement.

Mr. Bayard stated that he would like to see more information regarding the individuals who are the "nuts and bolts" people of the organization.

Agenda Item 18 On motion of Ms. Buquet, seconded by Ms. Bradford, the Board agreed to defer Agenda Item 18, "Consideration of the 2011 Request for Applications for Types 2, 4, and 5 charters," until the end of the meeting.

At this point in the meeting, Ms. Dastugue agreed to allow Ms. Karran Harper Royal to make public comments regarding:

- Agenda Item 19, "Consideration of a policy to allow elementary and middle school charter schools, with the exception of Type 2 charters, to voluntarily establish neighborhood enrollment preferences consistent with Act 756 of the 2010 Regular Legislative Session."
- Agenda Item 16, "Consideration of revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*, to comply with December 2010 RSD transfer of schools policy adoption."
- Agenda Item 17, "Consideration of a report on Types 2, 4, and 5 charter contracts and requests for amendments."
 - A. Capitol Pre-College Academy for Boys.
 - B. Capitol Pre-College Academy for Girls.
 - C. New Orleans College Preparatory Academy Charter School.
 - D. Lafayette Academy.
 - E. McDonogh 15 A KIPP Transformation School
 - F. Kenilworth Science and Technology Charter School."
- Agenda Item 18, "Consideration of the 2011 Request for Applications for Types 2, 4, and 5 charters."

Public comments regarding Agenda Item 19, "Consideration of a policy to allow elementary and middle school charter schools, with the exception of Type 2 charters, to voluntarily establish neighborhood enrollment preferences consistent with Act 756 of the 2010 Regular Legislative Session," were received from Dr. Tara O'Neill, Policy Manager at the Cowen Institute for Public Education Initiatives at Tulane University.

Agenda Item 19 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved, as a Notice of Intent, revisions to Bulletin 126, *Charter Schools: Chapter 27. Charter School Recruitment and Enrollment, §2701. Students Eligible to Attend, Subsection E.*, as recommended by the LDE, to comply with Act 756 of the 2010 Regular Legislative Session. Further, the Board granted the LDE interim authority to approve acceptable amendment requests for BESE-authorized charter schools for the 2011-2012 school year, as recommended by the LDE. (Schedule 27)

Agenda Item 20 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board approved, as a Notice of Intent, revisions to Bulletin 126, *Charter Schools: §103. Definitions, §305. BESE Duties Relating to Charter Schools, §509. Eligibility to Apply for a Type 5 Charter School, §515. Charter School Application Components, §518. BESE Pre-Opening Procedures Following Approval, §519. Local School Board Consideration of Charter Application, Awarding of Charters, §701. Charter School Contract with BESE, §901. Timeline for Charter School Opening, §1101. Charter School Evaluation, §1303. Third Year Review, §1305. Fourth Year Review of Charter Schools on Contract Probation, §1501. Renewal of Charter, §1503. Charter Renewal Process and Timelines, Chapter 18. Voluntary Relinquishment of a BESE-Authorized Charter, §1903. Material Amendments for BESE-Authorized Charter Schools, and §2701. Students Eligible to Attend.* (Schedule 28)

Agenda Item 21 On motion of Ms. Buquet, seconded by Ms. Johnson, the Board approved the initial 2010-2011 Academic Classification for the following new nonpublic schools, as recommended by the LDE:

- The Upperroom Bible Church Academy – Orleans Parish – Provisional Approval,
- Raphael Academy – Orleans Parish – Provisional Approval, and
- Hunter's Academy – Acadia Parish – Provisional Approval.

(Schedule 29)

Agenda Item 22 On motion of Ms. Johnson, seconded by Mr. Bennett, the Board authorized the State Superintendent of Education to enter into a Cooperative Endeavor Agreement (CEA) between the Division of Administration; the Department of Education; and a Truancy Intervention Center, made up of the City/Parish of Baton Rouge, the East Baton Rouge Parish School Board, the East Baton Rouge District Attorney’s Office, and the Sheriff’s Office to allow the Louisiana School for the Visually Impaired (LSVI) property, located on Government Street in Baton Rouge, Louisiana, to be used for a Truancy Intervention Center. (Schedule 30)

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Ms. Johnson offered a motion, seconded by Mr. Roemer, that the Board defer on Agenda Item 24, “Consideration of requests for material amendments from the New Beginnings Schools Foundation, Inc., governing Pierre A. Capdau Learning Academy, Nelson Elementary School, Gentilly Terrace Elementary School, and Thurgood Marshall Early College High School.”

Discussion followed.

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Ms. Buquet offered a substitute motion, seconded by Ms. Bradford, that the Board:

- grant the LDE interim authority to resolve the material amendments from the New Beginnings Schools Foundation, Inc., governing Pierre A. Capdau Learning Academy, Nelson Elementary School, Gentilly Terrace Elementary School, and Thurgood Marshall Early College High School and the material amendment related to the consolidation of Thurgood Marshall Early College High School and Greater Gentilly High School;
- direct that the LDE re-engage the community to reach an appropriate solution; and
- direct the LDE to report on the resolution of this issue at the next BESE meetings.

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Public comments regarding Agenda Item 24 were received from Ms. Freda Jones, Greater Gentilly High School; Ms. Anisha Antoine, Greater Gentilly High School PTO President and concerned parent; Ms. Lisa Martin Benson, Greater Gentilly High School PTO Secretary and concerned parent; Dr. Andre Perry, University of New Orleans; and Ms. Karran Harper Royal, concerned citizen.

Discussion followed.

Ms. Dastugue stated that the Board would vote on Ms. Buquet's substitute motion.

Agenda
Item 24

On motion of Ms. Buquet, seconded by Ms. Bradford, the Board:

- granted the LDE interim authority to resolve the material amendments to the contracts governing Pierre A. Capdau Learning Academy, Nelson Elementary School, Gentilly Terrace Elementary School, and Thurgood Marshall Early College High School, chartered by New Beginnings Schools Foundation, Inc., and the material amendment related to the consolidation of Thurgood Marshall Early College High School and Greater Gentilly High School;
- directed the LDE to re-engage the community to reach an appropriate solution; and
- directed the LDE to report on the resolution of this issue at the next BESE meeting. (Schedule 31)

Agenda
Item 25

On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the following reports for submission to the Louisiana Legislature prior to the beginning of the 2011 Regular Legislative Session:

- Report on Charter School Admission and Expulsion Criteria from the State Board of Elementary and Secondary Education, pursuant to Senate Concurrent Resolution 68, Regular Session, 2010 – April 2011.
- Report to the House Committee on Education of the Louisiana Legislature from the Louisiana Department of Education, pursuant to Louisiana House Resolution No. 167 - March 2011.
- Annual Report to the Senate and House Committees on Education and the Senate and House Committees on Health and Welfare of the Louisiana Legislature from the State Board of Elementary and Secondary Education, pursuant to Louisiana Revised Statute 17:17.4 - March 2011. (Schedule 32)

Public comments regarding Agenda Item 26, "Consideration of Change to Advisory Committee on Educator Evaluation Appointments," were received from Ms. Joyce Haynes, Louisiana Association of Educators.

Agenda Item 26 On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the appointment of Ms. Amy Haley to the Advisory Committee on Educator Evaluation. Ms. Haley replaces Ms. Lynn Gallagher as Mr. Jim Garvey's appointee on the Advisory Committee. (Schedule 33)

At this point in the meeting, the Board returned to Agenda Item 18, "Consideration of the 2011 Request for Applications for Types 2, 4, and 5 charters."

Mr. Chris Meyer indicated that the LDE would amend Bullet 3 concerning Revisions to the RFA, as follows:

- ~~Strongly weights an applicant's ability~~ Ask an applicant to demonstrate any prior success in raising student ~~academic~~ achievement.

This would allow the LDE to include the statement in the application and would allow the Board to determine what weight, if any, it wishes to assign to the statement.

Agenda Item 18 On motion of Ms. Bradford, seconded by Ms. Buquet, the Board approved the revisions to the 2011 Request for Applications (RFA) for Types 2, 4, and 5 charter schools and the RFA timeline and assignment priority, as amended. (Schedule 34)

With no further business to come before the Board, the meeting was adjourned at 12:28 p.m.