



**BOARD
of
ELEMENTARY
and
SECONDARY
EDUCATION**

The Board of Elementary and Secondary Education shall provide leadership and create policies for education that expand opportunities for children, empower families and communities, and advance Louisiana in an increasingly competitive global market.

OFFICIAL BOARD MINUTES

Meeting of January 18, 2012

LOUISIANA STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

JANUARY 18, 2012

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

The Louisiana State Board of Elementary and Secondary Education met in regular session on January 18, 2012, in the Louisiana Purchase Room, located in the Claiborne Building in Baton Rouge, Louisiana. The meeting was called to order at 10:21 a.m. by Board President Penny Dastugue and opened with a prayer by Mary Haile, a fifth grade student at Clinton Elementary School in East Feliciana Parish.

Board members present were Ms. Lottie Beebe, Mr. John Bennett, Ms. Holly Boffy, Ms. Connie Bradford, Ms. Penny Dastugue, Mr. Jay Guillot, Ms. Carolyn Hill, Mr. Walter Lee, Ms. Kira Orange Jones, and Mr. Chas Roemer.

Mr. Jim Garvey was absent.

David Haynes, a fifth grade student at Clinton Elementary School in East Feliciana Parish, led the Pledge of Allegiance.

Agenda Item 2. On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved the agenda, as printed and disseminated, with the addition of Emergency Agenda Items 9-11. (Schedule 1)

Agenda Item 3. On motion of Mr. Roemer, seconded by Mr. Bennett, the Board approved the minutes of December 7, 2011.

Agenda Item 4. **Report by the State Superintendent of Education**

“Good Morning, Board Members.

It’s an honor to address you today as State Superintendent of Education. And I would like to again say how gratifying it is to have the opportunity to serve the students of Louisiana.

Our shared mission is to make sure every child in Louisiana is on track to attain a college degree or thrive in a professional career. Achieving this objective requires time, focus, and a commitment to children above all else.

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As we work to facilitate solutions that advance student outcomes, our efforts and attention must be centered where it belongs – and that’s the work happening every day in every classroom in this state.

Therefore, first and foremost, as State Superintendent, my attention will be directed at providing more meaningful support and assistance to our district leaders, principals, and teachers – those who are on the front lines -- educating our children.

And corresponding to this will be an ongoing focus for my team to eliminate bureaucratic processes and rules that don’t help children learn.

My own experience as a local superintendent, along with discussions I’ve had with other local superintendents, has led me to conclude that, despite good intentions, the Department frequently distributes information in a way that is time-consuming and confusing for district staff.

Voluminous, complex emails distract work away from the classroom and make it difficult to determine what’s critical and what’s not.

To address this issue, yesterday we announced a new, consolidated communications policy for the agency.

Effective immediately, districts will only receive two emails per week from the agency. These communications, which will be forwarded from my office, will replace the multiple mass emails that go out each day to superintendents and other leaders within school districts – on issues such as assessment schedules, professional development, and requests for forms and reports.

A corresponding policy has been devised for charter schools as well.

Without question, we know every one of our children can attain a college degree or a professional career. Getting them there, especially our most challenged students, takes relentless focus by all adults involved. This first step is just one of many that we will implement to allow our district and school leaders to focus on student learning by breaking through the bureaucracy.

And I’m looking forward to gathering feedback from local superintendents and schools about other ways we can improve our effectiveness as a Department and overall as an education community.

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In fact, next week, I will begin visiting communities around the state to talk with educators and other groups about their successes and challenges.

My aim is to make sure we do less talking – and more listening and learning.

And this cross state listening tour will provide me with the opportunity to dialogue with teachers, principals, students, families, elected officials, business leaders, and others who are heavily invested in the education of our next generation.

We'll be touring schools that are employing innovative strategies and demonstrating that proven reforms can be successfully implemented with a sense of urgency -- to achieve dramatic improvement in student success.

And we'll be exploring what hasn't worked – and why – and how we can refine those policies, practices, and programs – or reallocate those resources – to implement programs that are of greater value to the success of our students.

I'm looking forward to these visits – and the opportunity to share what I learn with you in the near future.

In the meantime, this concludes my report.

Thank you.”

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On motion of Ms. Bradford, seconded by Mr. Lee, the Board agreed to take Agenda Item 11, “Consideration of granting the State Superintendent of Education authority to appoint a Recovery School District (RSD) Superintendent,” out of order.

Agenda Item 11.

On motion of Ms. Orange Jones, seconded by Mr. Lee, the Board granted the State Superintendent of Education authority to appoint Mr. Patrick Dobard as Superintendent of the Recovery School District (RSD).

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

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The Board returned to the regular agenda order.

Agenda Item 5.

Board Committee Reports

- Agenda Item 5.1. **Academic Goals and Instructional Improvement Committee** (Schedule 2)
- 5.1.1 On motion of Ms. Bradford, seconded by Mr. Lee, the Board received a report by Lieutenant Governor Jay Dardenne regarding the Bicentennial education materials created by the Louisiana Bicentennial Commission.
- 5.1.2 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved the request from the St. Tammany Parish School System for a waiver of requirements contained in Bulletin 741, *Louisiana Handbook for School Administrators*, §1705.H., to allow the St. Tammany Parish School System to hire only one full-time librarian in each of five high schools for the 2012-2013 school year. Current policy requires that secondary schools with enrollments in excess of 1000 students have two full-time librarians.
- 5.1.3 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved the request from the Ascension Parish School System for waiver of requirements contained in Bulletin 1530, *Louisiana's IEP Handbook for Students with Exceptionalities*, §127, and contained in Bulletin 741, *Louisiana Handbook for School Administrators*, §903, to allow a chronological age span waiver for special education classes for the 2011-2012 school year for classes served at Duplessis Primary School, Lakeside Primary School, Pecan Grove Primary School, Prairieville Primary School, and St. Amant Primary School, with the following conditions:
- a. Parents need to be notified of the age span concerns through the IEP process.
 - b. Parents must approve the waiver.
- The Ascension Parish School System has several classes of students participating in LAA 1 that exceed the three year age span, which is mandated by current policy.
- 5.1.4 On motion of Ms. Bradford, seconded by Mr. Lee, the Board received the update report on the Accelerated School Improvement Waivers for AUS Schools.
- 5.1.5 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved the Louisiana School for Math, Science, and the Arts core curriculum courses as equivalent courses for the LA Core 4 curriculum, as recommended by the LDE, and directed the LDE to draft correspondence requesting that the Louisiana Office of Student Financial Assistance (LOFSA) approve these courses as substitutes for the TOPS core courses.

- 5.1.6 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved the following alternative education program, as recommended by the LDE:
- Washington Parish School System: Eastside Alternative School.
- 5.1.7 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved annual revisions to the *Accountability Manual for the BESE Special Schools (BSS) and Special School District (SSD)*, addressing changes in position titles and adding language to capture LDE's new teacher induction and leadership induction programs, as well as deleting obsolete instruments.
- 5.1.8 On motion of Ms. Bradford, seconded by Mr. Lee, the Board received the update report regarding the Special Education Advisory Panel that includes the minutes from the meeting held on December 13, 2011, and directed BESE staff to add the following item to the Academic Goals and Instructional Improvement Committee agenda: "Consideration of a status report on the Special Education Advisory Panel."
- 5.1.9 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved, as a Notice of Intent, revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2385. Technology Education, to add two new course offerings.
- 5.1.10 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved, as a Notice of Intent, revisions to Bulletin 741, *Louisiana Handbook for Nonpublic School Administrators*: §115. Early Childhood/Pre-Kindergarten/Kindergarten, §705. Length of the School Day, §707. Class Size and Ratio, §905. Age Requirements, §2103. Minimum Time Requirements, and §3303. Definitions, as required by Act 102 of the 2011 Regular Legislative Session.
- 5.1.11 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved, as a Notice of Intent, revisions to Bulletin 111, *The Louisiana School, District, and State Accountability System*: §601. Defining a Graduation Index and §613. Calculating a Graduation Index, as recommended by the LDE.
- 5.1.12 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved, as a Notice of Intent, consideration of revisions to Bulletin 1706, *Regulations for Implementation of the Children with Exceptionalities Act*. Subpart 1. Regulations for Students with Disabilities, §133. Expenditures, related to implementation of Act 515 of the 2010 Regular Legislative Session.

- 5.1.13 On motion of Ms. Bradford, seconded by Mr. Lee, the Board approved, as a Notice of Intent, revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §1103. Compulsory Attendance, related to the approval process regarding a student exiting school and entering an adult education program.
- 5.1.14 On motion of Ms. Bradford, seconded by Mr. Lee, the Board rescinded approval of the Notice of Intent regarding revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: Chapter 27. Adult Education Programs, §2701. Program Administration, §2703. Requirements for Students, §2705. Requirements for Taking the GED Test, §2709. Requirements for GED Retesting, and §2711. Issuance of Equivalency Diplomas, which was approved by the Board on October 19, 2011. Further, the Board approved, as a Notice of Intent, the repeal of existing policy contained in Bulletin 741, *Louisiana Handbook for School Administrators*: Chapter 27. Adult Education Programs, §2701 through §2715.
- 5.1.15 On motion of Ms. Bradford, seconded by Mr. Lee, the Board deleted from the agenda: "Consideration of revisions to the Department's Critical Goals."

Agenda Item 5.2. **Administration and Finance Committee** (Schedule 3)

- 5.2.1 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the quarterly report from the LDE Director of Internal Audit.
- 5.2.2 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the report of LDE contracts of \$50,000 and under approved by the Acting State Superintendent of Education.
- 5.2.3 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the RSD contracts of \$50,000 and under approved by the Acting State Superintendent of Education.
- 5.2.4 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the following LDE contract amendment approved by the Acting State Superintendent, the Co-Chairs of the Administration and Finance Committee, and the BESE President:

Contractor: Federal Education Group, PLLC
Original Amount: \$ 34,261.12

(Motion continues on page 7)

Amendment Amount: \$40,000.00
New Contract Amount: \$74,261.12
Original Contract Period: July 1, 2010, to June 30, 2013
Funding Source: IAT-IDC

The contractor will advise the LDE in interpreting federal statutes and regulations, provide training to LDE staff on various federal programs, and assist the LDE in complying with the requirements of federal programs.

- 5.2.5 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the RSD contracts approved by the Acting State Superintendent of Education, the Co-Chairs of Administration and Finance Committee, and the BESE President.
- 5.2.6 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the report on in-state travel for Board members to be reimbursed from the BESE budget.
- 5.2.7 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the quarterly report of expenditures and budget balances of 8(g) projects for FY 2011-2012.
- 5.2.8 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the audit reports of the Bureau of Internal Audit (BIA): "Recovery School District (RSD) Construction Site Visits - Second Cycle" and "Potential Payroll Issues at LSDVI."
- 5.2.9 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the report from the legal counsels regarding the following litigation:
 - (1) Berry, et al., v. Pastorek et al., U.S.E.D., Docket No. 10-cv-04049.
 - (2) Oliver v. Orleans Parish School Board, et al., Civil District Court for the Parish of Orleans, Docket No. 05-12244.
- 5.2.10 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the verbal report on the development of the FY 2012-2013 MFP Formula.
- 5.2.11 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board directed the LDE to bring forth at the next meeting an MFP simulation that encompasses all relevant K-12 provider types not presently included in the MFP.
- 5.2.12 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the report on the LDE Budget.

- 5.2.13 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the report on the BESE Special Schools (BSS) and the Special School District (SSD) budgets.

School and District Innovations - Other

- 5.2.14 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following allocation:

Allocation: Louisiana School Turnaround Specialist Program – Cohort V
Amount: \$200,000
Funding Period: 01/01/12 – 06/30/12
Source of Funds: IAT-8(g)

Purpose: The Louisiana School Turnaround Specialist Program (LSTS) is a leadership development program that borrows heavily from the corporate world. It is designed to strengthen the organizational and instructional leadership skills of currently certified and experienced principals so as to prepare them to lead low-performing schools to higher student achievement. The LSTS is designed to recruit, groom, and build a cadre of school leaders prepared to turnaround failing schools and addresses the ongoing support component of the LELN. The program builds upon existing research that identifies rigorous selection criteria, significant integrated field-based and mentoring experiences, relevant coursework, and strong coordination with local schools and districts as critical to leader preparation and turning around failing schools. The major components of the program focus on improving overall student achievement levels through an intense leadership curriculum delivered by Louisiana Universities that were selected and trained as Regional Program Providers.

Basis of Allocation: A total of 3 University Partners providing support to 99 candidates/schools from different districts will participate in Cohort V of the Louisiana School Turnaround Specialist Program for FY 2011-2012. Award amounts were determined, based on the number of participating candidates and the schools tuition amounts.

Office of Departmental Support

- 5.2.15 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following LDE contract amendment:

Contractor:	Data Recognition Corp
Previous Contract:	Yes
Original Contract Amount:	\$47,453,096.00
Amended Amount:	\$20,962,472.00
New Contract Amount:	\$68,415,568.00
Begin Date:	09/01/03
Original End Date:	06/30/12 - Amended Years: 3
New End Date:	06/30/15
Funding Source:	State-FED: IDEA B Alt. Assessment and T6 State Assessment Admin.
Competitive Process:	Yes - RFP

This amendment is two-fold in that it will adjust the current contract year amount and extend the end date of the current contract. The extension is necessary to ensure continuity in the overall administration of the current LEAP 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.

- 5.2.16 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the report on Dialogues with the applicable districts/LEAs identified in the Fiscal Risk Assessment Process.

Recovery School District (RSD)

- 5.2.17 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following RSD contract amendment:

Contractor:	Burk-Kleinpeter, Inc.
Previous Contract:	Yes
Current Amount:	\$290,541.28
Amended Amount:	\$0.00
New Contract Amount:	\$290,541.28
Begin Date:	01/22/2009

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Current End Date: 01/22/2012
Amended End Date: 01/22/2013
Fund: FEMA
Competitive Process: Yes

Description of Service: Removal of the existing temporary/modular structures and site restoration at the former Langston Hughes Elementary School, Kennedy Modular Relocation (Schwarz Campus) and Kennedy Modular Relocation (Coghill Campus). This amendment adjusts the contract end date from 01/22/2012 to 01/22/2013 for Kennedy Modular Relocation (Coghill Campus) to manage a one-year warranty period that ends October of 2012.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school. Contract will expire on January 22, 2012. Additional time is needed to close-out the project.

Mr. Guillot recused himself from voting on this item.

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

Contractor: Chenevert Architects, LLC
Previous Contract: Yes
Current Amount: \$150,387.95
Amended Amount: \$52,843.13
New Contract Amount: \$203,231.08
Contract Period: 12/03/2009 - 06/30/2012
Fund: FEMA
Competitive Process: Yes

Description of Service: Demolition of George Washington Carver High School. This amendment adjusts the designer's fee for basic services required by the revised contract from \$113,025.00 to \$165,868.13, which is based on the final construction price of \$1,844,142.82 for demolition of George Washington Carver High School (Increase \$52,843.13).

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

5.2.19 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following RSD contract:

Contractor: Chenevert Architects, LLC
Previous Contract: Yes
Contract Amount: \$1,437,088.00
Contract Period: 01/18/2012 - 01/18/2015
Fund: FEMA
Competitive Process: Yes

Description of Service: New 2 section elementary school at Paul L. Dunbar School. This project consists of construction of a new 2 section elementary school at Paul L. Dunbar School. Provide the service for design and contract administration for a new 2 section elementary school at Paul L. Dunbar School.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

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

Contractor: Eskew+Dumez+Ripple, APC
Previous Contract: Yes
Current Amount: \$4,117,023.08
Amended Amount: \$238,744.89
New Contract Amount: \$4,355,767.97
Contract Period: 06/15/2007 - 07/14/2012
Fund: FEMA
Competitive Process: Yes

Description of Service: New L. B. Landry High School. This amendment adjusts the designer's fee for basic services to \$3,892,728.80, which is based on the final construction contract amount minus change orders associated with errors and omissions plus credits in change orders at 65% of the basic services fee and final contract amount minus change orders associated with errors and omissions at 35% of basic services fee for new L. B. Landry High School (increase \$110,175.80).

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This amendment provides for fees due the designer for prolonged contract administration as a result of the contractor exceeding the contract time to complete the punch list items. The amount is \$238,098.42 for new L. B. Landry High School (increase \$238,098.42).

This amendment provides for the additional service for owner requested redesign of the storm water management system associated with the Global Green Grant for New L. B. Landry High School (increase \$6,589.84).

This amendment provides for credits due to the owner for errors and omissions of the designer for new L. B. Landry High School (decrease -\$113,735.53).

This amendment provides for credits due to the owner for previously amended contract for a 10% fee on reimbursable expenses included in Amendment #4 for new L. B. Landry High School (decrease -\$2,383.64).

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

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

Contractor:	Hewitt-Washington and Associates Architects and Planners
Previous Contract:	Yes
Current Amount:	\$4,118,401.00
Amended Amount:	\$7,500.00
New Contract Amount:	\$4,125,901.00
Begin Date:	12/09/2010
Current End Date:	12/09/2013
Amended End Date:	12/09/2015
Fund:	FEMA
Competitive Process:	Yes

Description of Service: New Booker T. Washington High School and rehabilitation of the auditorium. This amendment adjusts the contract end date from 12/09/2013 to 12/09/2015 for new Booker T. Washington High School and rehabilitation of the auditorium. This amendment provides for

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the additional services fee for traffic impact analysis study for new Booker T. Washington High School and rehabilitation of the auditorium (increase \$7,500.00).

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school. Contract will expire on December 9, 2013. Additional time is needed to close out the project.

Mr. Guillot recused himself from voting on this item.

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

Contractor:	HMS Architects, APC
Previous Contract:	Yes
Current Amount:	\$79,619.43
Amended Amount:	\$0.00
New Contract Amount:	\$79,619.43
Begin Date:	04/08/2009
Current End Date:	04/08/2012
Amended End Date:	04/08/2013
Fund:	FEMA
Competitive Process:	Yes

Description of Service: Repair of auditorium floor and school roof at Live Oak Elementary School. This amendment adjusts the contract end date from 04/08/2012 to 04/08/2013 for repair of auditorium floor and school roof at Live Oak Elementary School. The construction is ongoing and there will be a 1 year warranty period that will need to be covered after substantial completion has been reached.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school. Contract will expire on 04/08/2012. Additional time is needed to close out the project.

Mr. Guillot recused himself from voting on this item.

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

Contractor: Holly and Smith Architects, APAC
Previous Contract: Yes
Current Amount: \$1,903,453.58
Amended Amount: \$39,651.00
New Contract Amount: \$1,943,104.58
Contract Period: 01/21/2010 - 01/21/2013
Fund: FEMA
Competitive Process: Yes

Description of Service: New Phillis Wheatley Elementary School. This amendment provides for additional services for the redesign of the HVAC, IT and electrical configuration at new Phillis Wheatley Elementary School to reflect changes approved by Master Plan Oversight Committee. The increase reflects an agreed upon lump sum amount (increase \$30,100.00). This amendment provides for additional services for the inclusion of modified education specification revisions for new Phillis Wheatley Elementary School. The increase reflects an agreed upon lump sum amount (increase \$9,551.00).

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

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

Contractor: Integrated Management Services, P. A., Inc.
Previous Contract: Yes
Current Amount: \$133,117.00
Amended Amount: -\$137.00
New Contract Amount: \$132,980.00
Contract Period: 09/16/2010 - 09/16/2012
Current End Date: 01/22/2012
Amended End Date: 01/22/2013
Fund: FEMA and Harrah's
Competitive Process: Yes

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Description of Service: Carbon Credit Energy Conservation Measures Phase 1 for A. D. Crossman Elementary School, Benjamin Banneker Elementary School, HVAC and chiller replacement at Sylvania Williams Elementary School and AHU replacement at Sylvania Williams Elementary School. This amendment adjusts the designer's fee for basic services required by the revised contract from \$49,939.00 to \$49,802.00, which is based on the actual low bidder's price of \$398,800.00 from bids received on June 30, 2011, for HVAC and chiller replacement at Sylvania Williams Elementary School Project No.: 2010-0800-0001. (decrease -\$137.00).

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

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

Contractor:	Integrated Management Services, P. A., Inc.
Previous Contract:	Yes
Current Amount:	\$61,887.00
Amended Amount:	\$71,230.00
New Contract Amount:	\$133,117.00
Contract Period:	09/16/2010 - 09/16/2012
Fund:	FEMA and Harrah's
Competitive Process:	Yes

Description of Service: Carbon Credit Energy Conservation Measures Phase 1 for A. D. Crossman Elementary School, Benjamin Banneker Elementary School, HVAC and chiller replacement at Sylvania Williams Elementary School and AHU replacement at Sylvania Williams Elementary School. This amendment adjusts the designer's fee for basic services required by the revised contract from \$11,948.00 to \$43,421.00, which is based on the actual low bidder's price of \$343,200.00 from bids received on June 30, 2011, for Carbon Credit Energy Conservation Measures Phase 1 at A. D. Crossman Elementary School and Benjamin Banneker Elementary School Project No.: 2010-0819-0001 – See Exhibit A (Increase \$31,473.00). It also provides for the addition of a new project: AHU replacement at Sylvania Williams Elementary School with new project No.: 2011-0876-0001 - available funds for construction of \$311,595.00 and designer's fee of \$39,757.00. The computation of said fee is set forth by the State Fee Calculator - See Exhibit B (\$39,757.00).

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Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

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

Contractor:	Jacobs Project Management Company/ CSRS Consortium
Previous Contract:	Yes
Current Amount:	\$27,560,292.69
Amended Amount:	\$183,696.74
New Contract Amount:	\$27,743,989.16
Contract Period:	12/01/2010 - 12/01/2013
Fund:	FEMA
Competitive Process:	Yes

Description of Service: The Department of Education Office of the Recovery School District Program Management/Construction Management Services. This amendment provides for the implementation of the Master Plan and related services. It also provides for the following additional services that fall outside of the PM/CM Contract between Jacobs Project Management Company/CSRS Consortium and the Department of Education, Office of the State of Louisiana:

- 1) Flowers Committee advisory work – Fanning/Howey Associates, Inc., Planning Alliance, Riverlands Surveying, LLC, LJB Inc., and Moses Engineers, Inc. (increase \$147,151.13)
- 2) Final city-wide community meeting for the Master Plan (increase \$25,793.81)
- 3) Reproduction of documents and initial subsidence assessment at Village de L'est, and the Little Woods Elementary School groundbreaking. (increase \$10,751.53)

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

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

Contractor: Montgomery Roth Architecture and Interior Design
Previous Contract: Yes
Current Amount: \$99,152.00
Amended Amount: -\$10,797.00
New Contract Amount: \$88,355.00
Contract Period: 12/09/2010 - 12/09/2013
Fund: FEMA
Competitive Process: Yes

Description of Service: New roof and masonry repairs at Marquis de Lafayette Elementary School. This amendment adjusts the designer's fee for basic services from \$99,152.00 to \$88,355.00, which is based on the actual low bidder's price of \$857,020.00 from bids received on August 2, 2011, for new roof and masonry repairs at Marquis de Lafayette Elementary School (decrease -\$10,797.00).

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

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

Contractor: N-Y Associates, Inc.
Previous Contract: Yes
Current Amount: \$70,624.00
Amended Amount: \$24,854.00
New Contract Amount: \$95,478.00
Contract Period: 12/09/2010 - 12/09/2013
Fund: FEMA
Competitive Process: Yes

Description of Service: Roof replacement and elevator installation at William J. Guste Elementary School. This amendment adjusts the designer's fee for basic services from \$70,624.00 to \$101,478.00, which is based on the actual low bidder's price of \$1,105,000.00 from bids received on August 2, 2011, for roof replacement and elevator installation at

(Motion continues on page 18)

William J. Guste Elementary School (increase \$30,854.00). This amendment provides for the adjustment to the designer's compensation for failure to submit complete, coordinated ready to bid set of construction documents to the owner by the established time for roof replacement and elevator installation at William J. Guste Elementary School (decrease - \$6,000.00).

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

5.2.29 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following RSD contract:

Contractor: Perez, APC
Previous Contract: Yes
Contract Amount: \$62,491.00
Contract Period: 01/18/2012 - 01/18/2013
Fund: FEMA
Competitive Process: Yes

Description of Service: Exterior and structural assessment of selected RSD schools at Henry Allen Elementary School, Andrew Jackson Elementary School, A. D. Crossman Elementary School, Dwight D. Eisenhower Elementary School, Gentilly Terrace Elementary School, O. P. Walker Sr. High School, and Sarah T. Reed Sr. High School. This contract provides for the exterior and structural assessment of selected RSD schools to determine the nature of refurbishment at the individual school sites, as follows: Henry Allen Elementary School, Andrew Jackson Elementary School, A. D. Crossman Elementary School, Dwight D. Eisenhower Elementary School, Gentilly Terrace Elementary School, O. P. Walker Sr. High School, and Sarah T. Reed Sr. High School.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible to determine the nature of refurbishment at the individual school sites.

Mr. Guillot recused himself from voting on this item.

5.2.30 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following RSD contract:

Contractor: Rozas-Ward/a.i.a. Architects, Inc.
Previous Contract: Yes
Contract Amount: \$1,058,410.78
Contract Period: 01/18/2012 - 01/18/2015
Fund: FEMA
Competitive Process: Yes

Description of Service: New high school at Edward Livingston School. This project consists of construction of a new high school at Edward Livingston School. Contractor will provide the service for design and contract administration for a new high school at Edward Livingston School.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

5.2.31 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following RSD contract:

Contractor: Sizeler Thompson Brown Architects Project Design Group, LLC
Previous Contract: No
Contract Amount: \$1,582,878.00
Contract Period: 01/18/2012 - 01/18/2015
Fund: FEMA
Competitive Process: Yes

Description of Service: New 3 section elementary school at Stuart R. Bradley School. This project consists of construction of a new 3 section elementary school at Stuart R. Bradley School. Contractor will provide the service for design and contract administration for a new 3 section elementary school at Stuart R. Bradley School.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

5.2.32 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following RSD contract:

Contractor: Sizeler Thompson Brown Architects Project Design Group, LLC
Previous Contract: No
Contract Amount: \$1,981,345.00
Contract Period: 01/18/2012 - 01/18/2015
Fund: FEMA
Competitive Process: Yes

Description of Service: New high school at Alfred Lawless School. This project consists of construction of a new high school at Alfred Lawless School. Contractor will provide the service for design and contract administration for a new high school at Alfred Lawless School.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

5.2.33 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the following RSD contract:

Contractor: VergesRome Architects + Fanning Howey, A Joint Venture
Previous Contract: Yes
Contract Amount: \$1,582,878.00
Contract Period: 01/18/2012 - 01/18/2015
Fund: FEMA
Competitive Process: Yes

Description of Service: New 3 section elementary school at Fisk-Howard School. This project consists of construction of a new 3 section elementary school at Fisk-Howard School. Contractor will provide the service for design and contract administration for a new 3 section elementary school at Fisk-Howard School.

Due to the sensitive nature of this project and the time constraints, these services must be performed as soon as possible. A delay would affect the schedule and ultimately delay the opening of the school.

Mr. Guillot recused himself from voting on this item.

- 5.2.34 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the re-wording of Agenda Item 6.1, as follows: "Consideration of contracts and leases of \$50,000 and over" beginning in March 2012.
- Mr. Guillot recused himself from voting on this item.
- 5.2.35 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the Programmatic Revision and Budget Revision for the FY 2011-2012 Louisiana Literacy Plan-Birth to Grade 12 8(g) Statewide Program (S069).
- 5.2.36 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board:
- a. approved the FY 2012-2013 8(g) Statewide Program descriptions;
 - b. delegated authority to the 8(g) workgroup to approve remaining statewide program descriptions for FY 2012-2013; and
 - c. approved the re-wording of Agenda Item 7.2, as follows: "Consideration of 8(g) funding cycle activities" beginning in March 2012.
- 5.2.37 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received the report on the BESE Budget.
- 5.2.38 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved the reports related to the 2011 Legislative Action Plan.
- 5.2.39 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board approved, as a Notice of Intent, revisions to the Louisiana Administrative Code, Title 28, Part I (BESE Code): §1107.D. Minimum Foundation Program, the MFP student membership definition, MFP: Add-on Students/Units.
- 5.2.40 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board deleted from the agenda: "Consideration of revisions to the Louisiana Administrative Code, Title 28, Part I (BESE Code): §501. Committees, regarding committee restructuring."
- Agenda Item 5.3. **Committee of the Whole**
Administration and Finance Committee (Schedule 4)
- 5.3.1 On motion of Mr. Roemer, seconded by Mr. Lee, the Board received the report on the budgets of each charter school.

- Agenda Item 5.4. **Committee of the Whole**
School Innovation and Turnaround Committee (Schedule 5)
- 5.4.1 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received an update report from the Recovery School District on Capital Projects for November 2011, which includes the November 2011 Superintendent's report; the BESE Monthly Report regarding open construction contracts as of December 5, 2011; and the November 2011 Program Update for RSD Phase 1 projects.
- 5.4.2 **NOTE:** See Motion 5.6.11 on page 25 for the Board's final action on: "Consideration of Early Head Start issues."
- 5.4.3 On motion of Mr. Roemer, seconded by Ms. Bradford, the Board received a report on the implementation and timeline for the RSD Equal Access Enrollment System.
- Agenda Item 5.5. **Educator Effectiveness Committee** (Schedule 6)
- 5.5.1 On motion of Mr. Lee, seconded by Mr. Roemer, the Board received the Teacher Certification Appeals Council Report dated December 8, 2011.
- 5.5.2 On motion of Mr. Lee, seconded by Mr. Roemer, the Board approved, for certification purposes, the following program, as recommended by the LDE:

The New Teacher Project Academy - Instrumental Music and Vocal Music.
- 5.5.3 On motion of Mr. Lee, seconded by Mr. Roemer, the Board approved the recommendation of the Louisiana Unit Accreditation Board (LUAB) and granted provisional state approval of the teacher education unit at Southern University and Agricultural and Mechanical College in Baton Rouge.
- 5.5.4 On motion of Mr. Lee, seconded by Mr. Roemer, the Board approved the recommendation of the Louisiana Unit Accreditation Board (LUAB) and granted approval of the teacher education unit at Louisiana State University at Shreveport.
- 5.5.5 On motion of Mr. Lee, seconded by Mr. Roemer, the Board approved, as a Notice of Intent, revisions to Bulletin 746, *Louisiana Standards for State Certification of School Personnel*: §405. Ancillary Counselor K-12 and §659. Counselor K-12 Add-on Endorsement, regarding requirements for Ancillary Counselor K-12 and the Counselor K-12 Add-on Endorsement.

Agenda School Innovation and Turnaround Committee (Schedule 7)
Item 5.6.

- 5.6.1 On motion of Mr. Roemer, seconded by Ms. Hill, the Board received a status report on Types 2, 4, and 5 charter schools.
- 5.6.2 On motion of Mr. Roemer, seconded by Ms. Hill, the Board approved a probationary extension for the charter governing Intercultural Charter School, operated by Intercultural Charter School, Inc., for the remainder of the charter contract term, as recommended by the LDE, subject to the following probationary conditions:
- academic improvement achieving an SPS of 75.0 or above (above AUS) and achieve growth target by end of 2011-2012 school year;
 - successful implementation of the new academic management plan; and
 - successful implementation of the new business plan and management of budget to achieve a fund balance >5% and a clean financial risk assessment in FY 2011-2012.
- 5.6.3 On motion of Mr. Roemer, seconded by Ms. Hill, the Board approved the request for a material amendment to the charter governing Intercultural Charter School, operated by Intercultural Charter School, Inc., to remove Edison Learning, Inc., as its education service provider, and to change their education plan, as recommended by the LDE.
- 5.6.4 On motion of Mr. Roemer, seconded by Ms. Hill, the Board received the report regarding the renewal term granted to Milestone SABIS Academy of New Orleans, operated by Innovators in Milestones, Inc., including a description of the process followed and the effective dates used to implement rules promulgated by BESE.
- 5.6.5 On motion of Mr. Roemer, seconded by Ms. Hill, the Board denied the request by Milestone SABIS Academy, operated by Innovators in Milestone, Inc., for a five-year contract extension.
- 5.6.6 On motion of Mr. Roemer, seconded by Ms. Hill, the Board approved the request for a material amendment to the charter governing New Orleans Charter Math and Science Academy, operated by Collegiate Academies, to change the name of the school to Sci Academy.

5.6.7 On motion of Mr. Roemer, seconded by Ms. Hill, the Board approved the request for a material amendment to the charter governing Lycee Francais de la Nouvelle-Orleans, operated by Lycee Francais de la Nouvelle Orleans, Inc., to modify its enrollment process.

5.6.8 On motion of Mr. Roemer, seconded by Ms. Hill, the Board approved the LDE recommendation and authorized The Delta Charter Group to commence operation of Delta Charter School of Math, Science, and Technology (Type 2 charter school) in Concordia Parish, for the 2012-2013 or 2013-2014 school year, subject to all of the following conditions being met:

- for opening in the 2012-2013 school year, identification of an effective school leader who can demonstrate how the instructional model will be successfully implemented and evaluated and how weaknesses contained in the evaluation report will be addressed, no later than February 15, 2012, to be approved by the State Superintendent of Education;
- for opening in the 2013-2014 school year, identification of an effective school leader who can demonstrate how the instructional model will be successfully implemented and evaluated and how weaknesses contained in the evaluation report will be addressed, no later than June 30, 2012, to be approved by the State Superintendent of Education;
- completion of a pre-opening checklist; and
- execution of the charter contract no later than April 30, 2012, or April 30, 2013, per conditions listed above.

5.6.9 On motion of Mr. Roemer, seconded by Ms. Hill, the Board approved the LDE recommendation and authorized Tangipahoa Charter School Association, Inc., to commence operation of Leadership Academy (Type 2 charter school) in Tangipahoa Parish, for the 2013-2014 school year, subject to all of the following conditions being met:

- identification of an effective school leader who can demonstrate how the instructional model will be successfully implemented and evaluated and how weaknesses contained in the evaluation report will be addressed, no later than June 30, 2012, to be approved by the State Superintendent of Education;

(Motion continues on page 25)

- receive approval of its business plan by the State Superintendent of Education no later than December 31, 2012;
- completion of a pre-opening checklist; and
- execution of the charter contract no later than April 30, 2013.

5.6.10 On motion of Mr. Roemer, seconded by Ms. Hill, the Board received the report regarding the Recovery School District Testing Program, which outlines the modified procedures and guidelines for the Recovery School District Testing Program.

5.6.11 On motion of Mr. Roemer, seconded by Ms. Hill, the Board approved the Quality Improvement Plan for the Recovery School District Early Head Start Program.

5.6.12 On motion of Mr. Roemer, seconded by Ms. Hill, the Board received an update report from the Recovery School District on Capital Projects, which includes the November 2011 Superintendent's report and the November 2011 Program Update for RSD Phase 1 Projects.

5.6.13 On motion of Mr. Roemer, seconded by Ms. Hill, the Board received an update report regarding a policy concept to ensure that no students attending a failing school that is being closed or reconstituted are assigned to another failing school or a watch list school unless the district enters into and meets conditions outlined in a Memorandum of Understanding (MOU) with the LDE.

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State Superintendent of Education White and Board members discussed the need for clarification and/or modification of the current policy regarding how a school is to leave the Recovery School District and return to its original school district.

Public comments regarding the return of Martin Berhman Elementary School, chartered by the Algiers Charter School Association, to the Orleans Parish School System were received from Mr. Larry Hammond, Ms. Tremeka Henry, and Ms. Carol Edgar Lang, who represented the Algiers Parent Teacher Community Organization.

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Ms. Henry provided the Board with copies of documents, signed by parents of students attending Martin Berhman Elementary School, entitled, "A Statement From Algiers Parents Teachers and Community Organization (APTCO) To Concerned Parents of Behrman."

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Ms. Hill offered a motion that the Board study and investigate information provided by the LDE in reference to Martin Berhman Elementary School and its governing body in order to help this school to move forward.

The motion failed for lack of a second.

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Ms. Beebe offered a motion, seconded by Ms. Hill, that the Board deviate from policy and allow Martin Berhman Elementary School to have discussion with the Orleans Parish School Board regarding return of the school to the Orleans Parish School System.

Mr. Roemer challenged that Ms. Beebe's motion was Out of Order because it did not address the agenda item.

Ms. Dastugue determined that Ms. Beebe's motion was not germane to the item before the Board and ruled the motion Out of Order.

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Additional public comments were received from Ms. Andrea Thomas-Reynolds, Algiers Charter School Association, and Mr. Lee Reid, Counsel to the Algiers Charter School Association.

5.6.14A On motion of Ms. Bradford, seconded by Ms. Beebe, the Board directed the LDE to work to develop a model for the return of schools to their original school districts that addresses what will happen to those schools fiscally, human resources-wise, and governance-wise, and that takes into consideration all other complexities involved.

5.6.14B 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*: §2403. Transfer of Schools out of the Recovery School District, and Bulletin 129, *The Recovery School District*: §505. Return of Schools to LEA.

Agenda Item 6. **Board Advisory Council Appointments** (Schedule 8)

On motion of Mr. Lee, seconded by Mr. Roemer, the Board approved the appointment of Superintendent Hollis Milton to the Superintendents' Advisory Council upon the recommendation of Ms. Carolyn Hill. Superintendent Milton replaces former Superintendent Michael Nassif on the Council.

Agenda Item 7. **Received and/or Referred**

Agenda Item 7.1. On motion of Ms. Bradford, seconded by Mr. Guillot, the Board received the Resolution from the Washington Parish School Board regarding legislation that will provide early childhood education funding in areas of staffing, equipment, and evaluation for state mandated programs. (Schedule 9)

Agenda Item 8. On motion of Ms. Bradford, seconded by Ms. Hill, the Board approved the following slate of officers for 2012:

Penny Dastugue, President,
Chas Roemer, Vice-President, and
Jim Garvey, Secretary-Treasurer.

Agenda Item 9. **Received and/or Referred**

Agenda Item 9.1. On motion of Ms. Bradford, seconded by Mr. Bennett, the Board received the Resolution from the Iberia Parish School Board, which urges the Louisiana School Boards Association to pursue changes in federal and/or state laws and regulations so that retired employees who choose to seek election to their local boards are not penalized through substantial increases in group health insurance premiums. (Schedule 10)

Agenda Item 9.2. On motion of Ms. Bradford, seconded by Mr. Bennett, the Board received the Resolution from the Iberia Parish School Board, which requests that the Louisiana School Boards Association pursue legislation or other action in the Louisiana Legislature designed to: (1) eliminate existing unfunded mandates; (2) prevent such unfunded mandates in the future; and (3) legislative action designed to obtain additional funding from the State through the MFP or otherwise so that mandates imposed by the State are no longer unfunded. (Schedule 11)

Agenda Item 10. On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the minutes of January 11, 2012.

With no further business to come before the Board, the meeting was adjourned at 11:35 a.m.