

Keith Guice, President

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**BOARD
of
ELEMENTARY
and
SECONDARY
EDUCATION**

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

OFFICIAL BOARD MINUTES

Meeting of July 27, 2009

LOUISIANA STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

JULY 27, 2009

The Louisiana Purchase Room
Baton Rouge, LA

The Louisiana State Board of Elementary and Secondary Education met in special session on July 27, 2009, in the Louisiana Purchase Room, located in the Claiborne Building in Baton Rouge, Louisiana. The meeting was called to order at 10:17 a.m. by Board President Keith Guice.

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

Agenda Item 3 On motion of Mr. Lee, seconded by Ms. McDaniel, the Board approved the agenda as printed and disseminated, with the addition of Emergency Agenda Items 12 – 13. (Schedule 1)

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On Point of Personal Privilege, Mr. Guice recognized Jessica Tucker, who has been employed as a full-time intern in the Board of Elementary and Secondary Education office. On behalf of the Board, Mr. Guice thanked Ms. Tucker for the exemplary work on the proposed Recovery School District bulletin and wished her continued success at Harvard Law School.

Agenda Item 4 On motion of Mr. Lee, seconded by Ms. Johnson, the Board approved the minutes of June 18, 2009.

Agenda Item 5 **Notices of Intent**
Notices of Intent duly advertised in the May 2009 issue of the Louisiana Register and ready for final adoption after August 18, 2009.

Agenda Item 5-A On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved for final adoption revisions to the Louisiana Administrative Code, Title 28, Part I. Board of Elementary and Secondary Education (BESE Code): §501. Standing and Executive Committees, §503. Advisory Councils, and §703. Regular and Special Meeting Schedules.

- Agenda Item 5-B On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2373. Agricultural Education, §2381. Health Occupations, and §2382. Law, Public Safety, Corrections, and Security.
- Agenda Item 5-C On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §303. General Powers of Local Educational Governing Authorities.
- Agenda Item 5-D On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §2319. High School Graduation Requirements.
- Agenda Item 5-E On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved for final adoption revisions to Bulletin 741, *Louisiana Handbook for School Administrators*: §3103. Requirements for Teachers.
- Agenda Item 5-F On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved for final adoption revisions to Bulletin 1794, *State Textbook Adoption Policy and Procedure Manual*: §513. Waivers.
- Agenda Item 6 **Received and/or Referred**
- Agenda Item 6-A On motion of Mr. Lee, seconded by Mr. Bennett, the Board received and referred to the Quality Leaders/Educators Committee: Consideration of adoption of the new PRAXIS SLLA (1011) exam. (Schedule 2)
- Agenda Item 6-B On motion of Mr. Lee, seconded by Mr. Bennett, the Board received and referred to the Quality Leaders/Educators Committee: Consideration of revisions to the PRAXIS Library Media Specialist (0310) and Speech Communication (0220) test scores due to transitioning to the new scoring scale. (Schedule 3)
- Agenda Item 6-C On motion of Mr. Lee, seconded by Mr. Bennett, the Board received and referred to the Quality Leaders/Educators Committee: Consideration of revisions to Bulletin 746, Chapter 8, Certification Appeal Process. (Schedule 4)
- Agenda Item 6-D On motion of Mr. Lee, seconded by Mr. Bennett, the Board received and referred to the Quality Leaders/Educators Committee: Consideration of revisions to Bulletin 746, Chapter 3, Section 311. Foreign Language Special Certificate. (Schedule 5)

Agenda Item 6-E On motion of Mr. Lee, seconded by Mr. Bennett, the Board received and referred to the Quality Leaders/Educators Committee: Consideration of revisions to Bulletin 746, Chapter 6, Section 645. Adult Education Instructor. (Schedule 6)

Agenda Item 6-F On motion of Mr. Lee, seconded by Mr. Bennett, the Board received and referred to the Quality Leaders/Educators Committee: Consideration of policy recommendations regarding the use of the Value Added report for alternate certification programs in Level 4 and Level 5. (Schedule 7)

Agenda Item 6-G On motion of Mr. Lee, seconded by Mr. Bennett, the Board received and referred to the Special Education Advisory Council: Consideration of the presentation of due process findings. (Schedule 8)

Agenda Item 7 **Board Advisory Council Appointments** (Schedule 9)

On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the appointment of Ms. Carol Brown to the Special Education Advisory Council upon the recommendation of Mr. Keith Guice. Ms. Brown fills a vacancy on the Council.

On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the appointment of Dr. Melanie Verges, Superintendent of the Baton Rouge Diocesan School System, to the Nonpublic School Commission upon the recommendation of Mr. John Bennett. Dr. Verges replaces Sr. Mary Michaeline Green on the Commission.

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

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

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

On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the appointment of Superintendent John Dilworth to the Parish Superintendents' Advisory Council upon the recommendation of Mr. John Bennett. Superintendent Dilworth fills a vacancy on the Council.

On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the reappointment of Ms. Avis Kado to the Special Education Advisory Council upon the recommendation of Ms. Roseland Starks, Director of Louisiana Rehabilitation Services.

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

On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the appointment of Dr. Rebecca Smith to the Special Education Advisory Council upon the recommendation of Ms. Tammie McDaniel. Dr. Smith fills a vacancy on the Council.

Agenda Item 8 On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the new faculty, course offerings, and textbooks (FY 2009-2010) for the Louisiana School for Math, Science, and the Arts. (Schedule 10)

Agenda Item 9 On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the recommendation of the Louisiana Unit Accreditation Board (LUAB) and granted approval of the teacher education unit at Nicholls State University, with a commendation for meeting all standards with no areas for improvement cited. (Schedule 11)

Agenda Item 10 On motion of Mr. Lee, seconded by Mr. Bennett, the Board approved the recommendation of the Louisiana Unit Accreditation Board (LUAB) and granted approval of the teacher education unit at Southern University at New Orleans, with a commendation to the administration of the institution and college for the progress made since the university was reconstituted. (Schedule 12)

Agenda Item 11 **Consideration of policy revisions related to the implementation of the career diploma.** (Schedule 13)

On Point of Personal Privilege, Ms. McDaniel recognized and welcomed Senator Michael W. Walsworth and Representative J. Rogers Pope, two of the co-authors of House Bill No. 612 of the 2009 Regular Legislative Session.

Public Comments regarding Agenda Item 11, "Consideration of policy revisions related to the implementation of the career diploma," were received from Ms. Brigitte Nieland, Louisiana Association of Business and

(Continues on page 5)

Industry; Mr. Michael Deshotels; Superintendent John R. Sartin, Louisiana Association of School Superintendents; Superintendent Tom Thrower, Morehouse Parish School System; Superintendent David Clayton, Jefferson Davis Parish School System; Mr. Wayne Free, Louisiana Association of Educators; Mr. James Sawtelle, Louisiana Community and Technical College System.

Motion 11-A On motion of Ms. McDaniel, seconded by Ms. Johnson, the Board adopted the student entrance requirements for the career diploma for 2009-2010 only, as proposed by the Department, with the following amendments:

- students will be 15 years of age or older during the forthcoming school year;
- attendance will be based on the local Pupil Progression Plan and behavior standards will be based on current law, which does not address promotion; and
- student entrance requirements for future years must be finalized by September 2009.

A Roll Call Vote was taken.

Yeas: Mr. Bayard, Mr. Bennett, Ms. Buquet, Ms. Dastugue, Ms. Givens, Ms. Johnson, Mr. Lee, Ms. McDaniel, Mr. Roemer, and Mr. Guice.

Nays: Mr. Garvey.

The motion passed.

Motion 11-B On motion of Mr. Bennett, seconded by Ms. Givens, the Board referred to the Parish Superintendents' Advisory Council, to the Special Education Advisory Council, and to a special study group consisting of all the stakeholders to be established by Superintendent Pastorek, all proposed policy language regarding the career diploma pathway.

Motion 11-C On motion of Ms. McDaniel, seconded by Ms. Givens, the Board approved that any science courses presented by the Department, in the proposed curriculum requirements for the career diploma, are acceptable for incoming freshmen enrolling in the career diploma pathway in the 2009-2010 school year only. Further, the Board referred the proposed curriculum framework to the Parish Superintendents' Advisory Council, to the Special Education Advisory Council, and to a special study group consisting of all the stakeholders to be established by Superintendent Pastorek.

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NOTE: Ms. Dastugue requested that the minutes reflect that it was agreed that BESE would receive the counseling form that districts will utilize and that it will contain an acknowledgement of TOPS ineligibility; that districts must still receive approval from BESE for their proposed curriculum, including the career and technical education courses offered for credit with end of course testing; and that BESE must approve the district's pupil progression plan that includes participation in a dropout prevention and mentoring program during their first year of high school.

Motion
11-D

On motion of Mr. Garvey, seconded by Mr. Roemer, the Board approved the requests from the following local education agencies for waiver of the requirement to provide a career diploma pathway for the 2009-2010 school year, as recommended by the Department:

- Acadia Parish School System,
- Allen Parish School System,
- Ascension Parish School System,
- Beauregard Parish School System,
- Catahoula Parish School System,
- Claiborne Parish School System,
- Concordia Parish School System,
- East Carroll Parish School System,
- Jefferson Parish School System,
- Jefferson Davis Parish School System,
- Orleans Parish School System,
- St. Charles Parish School System,
- St. James Parish School System,
- St. John the Baptist School System,
- Washington Parish School System,
- West Baton Rouge Parish School System,
- West Feliciana Parish School System,
- Bogalusa City School System, and
- the Recovery School District.

Further, the Board noted that these districts may be allowed to withdraw their waiver requests.

The Board recessed for lunch at 12:45 p.m. and reconvened at 1:30 p.m.

Agenda
Item 12

Consideration of the authorization for D'Arbonne Woods Charter School to open in the 2009-2010 school year. (Schedule 14)

Ms. Johnson offered a motion, seconded by Ms. Givens, that the Board affirm the motion made in 2007 that the D'Arbonne Woods Charter School has now met all of the requirements and conditions that the Board had placed on it in 2007 and that it be allowed to open.

Discussion followed.

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Ms. Dastugue offered a substitute motion, seconded by Mr. Roemer, that the Board approve the recommendation of the Department regarding D'Arbonne Woods Charter School.

Lengthy discussion followed.

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Ms. Johnson offered to withdraw her motion. The withdrawal of her motion was approved by the Board.

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Mr. Lee offered a substitute motion, seconded by Ms. Givens, that the Board reinstate the previous action of approving D'Arbonne Woods Charter School effective December 2007.

Discussion followed.

Mr. Lee withdrew his motion.

Discussion followed.

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Mr. Bayard offered a substitute motion, seconded by Mr. Lee, that the Board approve the charter applicant listed below to operate a Type 2 charter school in the 2009-2010 school year, contingent upon the requirements and conditions set forth below and special considerations reflected in the Evaluation and Recommendation Summaries being met:

(Continues on page 8)

- 1) D'Arbonne Woods Charter School, Inc. (Union Parish).
 - Approval of the Type 2 charter school application is contingent upon the following:
 - completion of the pre-opening checklist;
 - addressing the special considerations set forth in the Evaluation and Recommendation Summaries;
 - meeting any other requirements contained in staff recommendations; and
 - execution of the charter contract no later than September 1, 2009.
 - Charter application final approval shall not be effective until the above referenced contingencies, including execution (signed by president of the non-profit corporation and the BESE President) of the charter contract, are met.
 - Approval of D'Arbonne Woods Charter School, Inc.'s charter school application is contingent upon approval of the federal district court in the matter of *Cleveland et al. v Union Parish School Board, et al.* no later than September 1, 2009.
 - In order to be authorized to operate in the 2009-2010 school year, a charter applicant must receive final approval by meeting all contingencies.
 - The pre-opening checklist for Type 2 charter schools is hereby approved.
 - The Board President is authorized to sign the charter contract only after verification from staff that items due on or before September 1, 2009, in the pre-opening checklist have been received.
 - The Commissioner of Administration will be notified of the Board's approval of the Type 2 charter application and requested to give consideration to the inclusion of funding for such schools in the FY 2009-2010 executive budget.

A Roll Call Vote was taken.

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

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

The motion failed.

Agenda Item 12 On motion of Ms. Dastugue, seconded by Mr. Roemer, the Board authorized D'Arbonne Woods Charter School (Type 2) to open in the 2009-2010 school year and authorized the Board President to execute the contract, as recommended by the Department.

A Roll Call Vote was taken.

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

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

The motion passed.

Agenda Item 13 On motion of Ms. Buquet, seconded by Ms. McDaniel, the Board:

- directed the Department and the Board's Acting Executive Director to draft a Resolution endorsing the federal legislation contained in HR 2187, the *21st Century Green High-Performing Public School Facilities Act*;
- directed the Board's Acting Executive Director to submit the draft resolution to the Board's officers for review; and
- authorized the Board President to sign and submit the final Resolution to Louisiana's congressional delegation.

(Schedule 15)

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On motion of Mr. Bayard, seconded by Mr. Bennett, the Board received and referred to the State Authorized School Oversight Committee: "Consideration of a discussion regarding charter school management."

With no further business to come before the Board, the meeting was adjourned at 2:25 p.m.