

**NEW ORLEANS RSD CHARTER SCHOOLS CAN EXPEL UNWANTED STUDENTS--
MAKING TEST RESULTS QUESTIONABLE**

Dr. Barbara Ferguson, Research on Reforms – June 2011



In the New Orleans Recovery School District, 76% of the students in the traditional schools failed the Language Arts GEE, while 46% of those in the charter schools failed. For the Mathematics GEE, 67% failed in the traditional schools, and only 31% failed in the charter schools. The 4th and 8th grade LEAP tests show similar results. **But, do not be deceived.**

Table 1: Percentage of students failing GEE and LEAP in RSD New Orleans schools.

Recovery School District, 2010-11 (New Orleans RSD Schools)		% Failing Traditional Schools	% Failing Charter Schools
GEE-- 10 th Grade	Language Arts	76%	46%
GEE-- 10 th Grade	Mathematics	67%	31%
LEAP-- 8 th Grade	Language Arts	64%	41%
LEAP-- 8 th Grade	Mathematics	66%	40%
LEAP-- 4 th Grade	Language Arts	46%	38%
LEAP-- 4 th Grade	Mathematics	56%	40%

Source: La Department of Educationⁱ

Do not be deceived into thinking that charter schools are inherently better than traditional schools; rather, they operate under different rules. They can expel students for minor infractions or can simply expel those who might contribute to lowering their test scores. According to Chas Roemer, BESE Chair of the RSD Committee, charter schools are not bound by the same student behavior rules as are traditional schools.ⁱⁱ

The La Revised Statutes specify the behaviors for which students can be expelled.ⁱⁱⁱ However, according to Roemer, these laws do not apply to charter schools. Some would have us believe that the only difference between traditional and charter schools is the governance structure. But, the real difference is in the power that charters have to expel students, who would not otherwise be expelled from the traditional schools.

At the RSD Committee meeting in New Orleans on June 9, 2011, Mr. Roemer stated that charter schools can develop their own rules for expelling students. He said that they were not required to follow state law on only expelling students who commit grave offenses. Also, according to Mr. Roemer, the rules that charter schools use to expel students do not have to be approved by the Board of Elementary and Secondary Education.^{iv} Examples of some of the rules used by charter schools to expel students are given in Table 2. Expulsion is the permanent removal of a student from school.

Table 2: Examples of behaviors for which students can be expelled in charter schools

RSD Charter School	Grades	Behaviors for which Students can be Expelled
New Orleans Charter Science and Math Academy ^v	9-11	<ul style="list-style-type: none"> • Theft • Graffiti • Threats
Lafayette Academy Charter School ^{vi}	Pk-7	<ul style="list-style-type: none"> • Excessive absenteeism • Sleeping in class • Disobedience to teacher
Nelson, Gentilly Terrace and Capdau: UNO Charter Schools ^{vii}	K-8	<ul style="list-style-type: none"> • Truancy or ‘skipping school’ • Possession of tobacco • Fighting
Miller- McCoy Academy ^{viii}	5-11	<ul style="list-style-type: none"> • Cutting school, class, or detention • Disrupting Class • Being Disrespectful • Cheating
KIPP Central City Primary ^{ix}	K-2	<ul style="list-style-type: none"> • Absent or Tardy more than 5 times • Repeatedly committing minor behavioral infractions

According to state law, expulsion, which is the permanent removal of a student from school, must be done only when students commit grave offenses, such as, possession of drugs or weapons and gang fighting.^x Charter schools, according to Roemer, do not have to follow state law regarding expulsion. Charter schools can write their own laws for expulsion, which do not need approval from BESE.

This creates two injustices. First, charter schools can selectively chose the students they educate by removing, through expulsion, those who have any behaviors that might be considered at-risk. Louisiana’s charter school law defines the purpose of charter schools as “serving the best interests of at-risk students.”^{xi} When charter schools can expel at-risk students, they are not serving the purpose intended by Louisiana law. Further, there is, and will

continue to be a great disparity in test scores, as show by the data in this report, because traditional schools must educate all students, including the at-risk.

The second, and even greater issue, is the injustice to this city and to its children and youth. Public education, according to the state Constitution, must give all students “an equal opportunity” to learn. ^{xii} There is not an equal opportunity to learn in New Orleans, where charter schools provide education to selected students, leading to better student performance, and where traditional schools educate all other students, including the at-risk. Without a public education system devoted to equality and quality education for all students, New Orleans will continue to be a poor, violent and crime-infested city. The quality of the public schools and the quality of the city are interwoven. To improve the city, it is necessary to improve public schools for **all students**.

Barbara Ferguson
 bferguson@researchonreforms.org

Endnotes:

ⁱ Louisiana Department of Education website, 2010-11 LEAP and GEE results; see, also, Appendix A and Appendix B below.

ⁱⁱ June 9, 2011, RSD Committee of the Board of Elementary and Secondary Education, held at Cohen High School in New Orleans. Comments by Mr. Chas Roemer, Committee Chair (School Innovation and Turnaround Committee).

ⁱⁱⁱ La.R.S. 17:416. Discipline of pupils, suspension, expulsion.

^{iv} June 9, 2011, RSD Committee of the Board of Elementary and Secondary Education, held at Cohen High School in New Orleans. Comments by Mr. Chas Roemer, Committee Chair (School Innovation and Turnaround Committee).

^v New Orleans Charter Science and Math Academy, 2010-11 Family Handbook, “Sci Academy Code of Conduct” section.

^{vi} Lafayette Academy Charter School, 2010-11 Student/Parent/Families Handbook, 2010-11, pages 13-14.

^{vii} University of New Orleans, Charter School Network, 2010-11 Parent/Student Handbook, pages 34-36

^{viii} Miller-McCoy Academy for Mathematics and Business, 2010-11 Family Handbook, pages 11-18

^{ix} KIPP: Central City Primary, 2010-11 Parent/ student Handbook, “Absent / Tardy” section, “Expulsion” section.

^x La.R.S.17:416. Discipline of pupils, suspension, expulsion.

^{xi} La.R.S.17: 3972. Charter Schools: Intent and Purpose.

^{xii} La. Constitution, Article VIII, Education.

APPENDIX A

RSD CHARTER AND TRADITIONAL SCHOOLS: NUMBER AND PERCENT PASSING AND FAILING ON 4TH GRADE LEAP, 8TH GRADE LEAP AND 10TH GRADE GEE

GEE- CHARTER	# Pass	% Pass	# Fail	% Fail	Total #
Language Arts	369	54%	311	46%	680
Mathematics	468	69%	209	31%	677

GEE-TRADITIONAL	# Pass	% Pass	# Fail	% Fail	Total #
Language Arts	154	24%	500	76%	654
Mathematics	218	33%	445	67%	663

8th Grade LEAP-CHARTER	# Pass	% Pass	# Fail	% Fail	Total #
Language Arts	725	59%	502	41%	1227
Mathematics	736	60%	490	40%	1226

8th Grade LEAP TRADITIONAL	# Pass	% Pass	# Fail	% Fail	Total #
Language Arts	198	36%	347	64%	545
Mathematics	186	34%	358	66%	544

4th Grade LEAP-CHARTER	Pass	% Pass	Fail	% Fail	Total
Language Arts	836	62%	511	38%	1347
Mathematics	806	60%	542	40%	1348

4th Grade LEAP TRADITIONAL	Pass	% Pass	Fail	% Fail	Total
Language Arts	361	54%	312	46%	673
Mathematics	298	44%	375	56%	673

APPENDIX B

RSD SCHOOLS GROUPED BY CHARTER SCHOOLS AND TRADITIONAL SCHOOLS: TEST RESULTS FOR 4TH GRADE LEAP, 8TH GRADE LEAP AND 10TH GRADE GEE IN LANGUAGE ARTS AND MATHEMATICS

LEAP – Grade 4- RSD CHARTER SCHOOLS

No	Code	Name	LEAP- Grade 4 (Numbers of Students)					
			Language Arts			Mathematics		
			Pass	Fail	Total	Pass	Fail	Total
1	300001	P.A. Capdau School	51	4	55	36	19	55
2	300002	Nelson Elementary School	17	21	38	20	18	38
3	300004	Gentilly Terrace School	33	6	39	29	10	39

4	367001	<i>EP Harney Spirit of Excellence Academy (2009-10: 396030)</i>	27	11	38	27	11	38
5	369001	<i>Live Oak Elementary School (2009-10: 396014)</i>	31	44	75	30	45	75
6	369002	<i>Laurel Elementary School (2009-10: 396013)</i>	25	46	71	30	41	71
7	374001	Success Preparatory Academy	40	38	78	38	42	80
8	379001	Crocker Arts and Technology School	16	9	25	10	15	25
9	380001	The Intercultural Charter School	33	13	46	30	16	46
10	387001	Langston Hughes Academy Charter School	40	29	69	40	29	69
11	388001	Andrew H. Wilson Charter School	35	35	70	39	31	70
12	389001	Abramson Science & Technology Charter School	28	25	53	26	27	53
13	390001	James M. Singleton Charter School	38	31	69	42	27	69
14	391001	Dr. M.L.K. Charter School for Science & Tech.	49	6	55	47	8	55
15	392001	McDonogh #28 City Park Academy	29	14	43	25	18	43
16	393001	Lafayette Academy of New Orleans	88	7	95	86	9	95
17	393002	<i>Esperanza Charter School (2009-10: 393002)</i>	15	36	51	18	33	51
18	394003	McDonogh #42 Elementary Charter School	25	26	51	23	28	51
19	395001	Martin Behrman Elementary School	61	0	61	59	2	61
20	395002	Dwight D. Eisenhower Elementary School	45	20	65	35	30	65
21	395003	William J. Fischer Elementary School	30	13	43	35	8	43
22	395004	McDonogh #32 Elementary School	23	41	64	19	45	64
23	395006	Harriet Tubman Elementary School	23	18	41	22	20	42
24	398002	McDonogh #15: School for the Creative Arts	34	18	52	40	10	50
25	399001	Samuel J. Green Charter School	0	0	0	0	0	0
26	399002	Arthur Ashe Charter School	0	0	0	0	0	0
27	399004	<i>John Dibert Community School(2009-10:396005)</i>	0	0	0	0	0	0
			836	511	1347	806	542	1348

LEAP – Grade 4 - RSD TRADITIONAL SCHOOLS

No	Code	Name	LEAP- Grade 4 (Numbers of Students)					
			Language Arts			Mathematics		
			Pass	Fail	Total	Pass	Fail	Total
1	396001	Joseph A. Craig School	23	38	61	24	37	61
2	396003	Benjamin Banneker Elementary School	33	14	47	32	15	47
3	396008	Dr. Charles Richard Drew Elementary School	18	42	60	14	46	60
4	396009	Paul B. Habans Elementary School	24	19	43	16	27	43
5	396010	Murray Henderson Elementary School	26	26	52	21	31	52
6	396012	James Weldon Johnson School	13	7	20	13	7	20
7	396019	A.P. Tureaud Elementary School	29	8	37	21	16	37
8	396021	Sarah Towles Reed Elementary School	23	44	67	15	52	67
9	396022	Schwarz Alternative School	0	0	0	0	0	0
10	396025	Carver Elementary School	20	24	44	16	28	44
11	396028	Fannie C. Williams Elementary School	31	20	51	23	28	51
12	396029	F.W. Gregory Elementary School	24	29	53	25	28	53
13	396034	H.C. Schaumburg Elementary School	55	33	88	42	46	88
14	396037	Mary D. Coghill Elementary School	42	8	50	36	14	50
			361	312	673	298	375	673

LEAP – Grade 8- RSD CHARTER SCHOOLS

No	Code	Name	LEAP- Grade 8 (Numbers of Students)					
			Language Arts			Mathematics		
			Pass	Fail	Total	Pass	Fail	Total
1	300001	P.A. Capdau School	19	21	40	19	21	40
2	300002	Nelson Elementary School	12	11	23	10	13	23
3	300004	Gentilly Terrace School	11	22	33	9	24	33
4	367001	<i>E.P. Harney Spirit of Excellence Academy (2009-10: 396030)</i>	12	8	20	10	10	20
5	369001	<i>Live Oak Elementary School (2009-10: 396014)</i>	16	39	55	14	41	55
6	369002	<i>Laurel Elementary School (2009-10: 396013)</i>	18	37	55	21	34	55
7	374001	Success Preparatory Academy	0	0	0	0	0	0
8	379001	Crocker Arts and Technology School	0	0	0	0	0	0
9	384001	Miller-McCoy Academy	40	33	73	44	29	73
10	385001	NOLA College Prep Charter School	34	45	79	37	42	79
11	387001	Langston Hughes Academy Charter School	35	25	60	38	21	59
12	388001	Andrew H. Wilson Charter School	19	1	20	14	6	20
13	389001	Abramson Science & Technology Charter School	20	18	38	13	25	38
14	390001	James M. Singleton Charter School	20	9	29	26	3	29
15	391001	Dr. M.L.K. Charter School for Science & Tech.	28	10	38	35	3	38
16	392001	McDonogh #28 City Park Academy	18	14	32	10	22	32
17	393002	<i>Esperanza Charter School (2009-10: 393002)</i>	13	7	20	10	10	20
18	394003	McDonogh #42 Elementary Charter School	8	18	26	8	18	26
19	395001	Martin Behrman Elementary School	53	4	57	53	4	57
20	395002	Dwight D. Eisenhower Elementary School	37	13	50	32	18	50
21	395003	William J. Fischer Elementary School	23	12	35	30	6	36
22	395004	McDonogh #32 Elementary School	11	20	31	14	16	30
23	395006	Harriet Tubman Elementary School	23	16	39	17	22	39
24	397001	Sophie B. Wright Inst. Of Academic Excellence	47	27	74	52	22	74
25	398001	KIPP Believe College Prep (Phillips)	64	14	78	65	13	78
26	398002	McDonogh #15: School for the Creative Arts	32	11	43	23	20	43
27	398003	KIPP Central City Academy	59	19	78	75	3	78
28	399001	Samuel J. Green Charter School	18	25	43	24	19	43
29	399002	Arthur Ashe Charter School	12	8	20	12	8	20
30	399004	<i>John Dibert Community School(2009-10:396005)</i>	23	15	38	21	17	38
			725	502	1227	736	490	1226

LEAP - Grade 8 - RSD TRADITIONAL SCHOOLS

No	Code	Name	LEAP- Grade 8 (Numbers of Students)					
			Language Arts			Mathematics		
			Pass	Fail	Total	Pass	Fail	Total
1	396001	Joseph A. Craig School	14	33	47	10	37	47
2	396003	Benjamin Banneker Elementary School	18	11	29	20	9	29
3	396008	Dr. Charles Richard Drew Elementary School	10	27	37	15	22	37
4	396012	James Weldon Johnson School	15	7	22	14	8	22
5	396021	Sarah Towles Reed Elementary School	15	34	49	11	38	49
6	396022	Schwarz Alternative School	0	15	15	0	15	15

7	396025	Carver Elementary School	10	24	34	11	23	34
8	396028	Fannie C. Williams Elementary School	20	10	30	19	11	30
9	396029	F.W. Gregory Elementary School	14	41	55	13	42	55
10	396031	L.B. Landry High School	35	62	97	33	63	96
11	396034	H.C. Schaumburg Elementary School	23	29	52	15	37	52
12	396037	Mary D. Coghill Elementary School	21	31	52	23	29	52
13	396044	Hope Academy	3	23	26	2	24	26
14	396045	New Orleans Career Academy	0	0	0	0	0	0
			198	347	545	186	358	544

GEE - Grades 10 - RSD CHARTER SCHOOLS

			GEE (10 th grade) (Numbers of Students)					
			Language Arts			Mathematics		
No	Code	Name	Pass	Fail	Total	Pass	Fail	Total
1	300003	Thurgood Marshall Early College High School	53	44	97	67	29	96
2	382001	New Orleans Charter Science and Math Academy	40	11	51	43	8	51
3	383001	Sojourner Truth Academy	16	62	78	26	53	79
4	384001	Miller-McCoy Academy	13	34	47	17	32	49
5	389001	Abramson Science & Technology Charter School	18	14	32	21	11	32
6	391001	Dr. M.L.K. Charter School for Science & Tech.	22	15	37	32	5	37
7	395005	O.P. Walker Senior High School	119	77	196	177	16	193
8	395007	Algiers Technology Academy	39	33	72	45	25	70
9	397001	Sophie B. Wright Inst. Of Academic Excellence	49	21	70	40	30	70
10	398005	KIPP Renaissance High School (2009-10: 396007)	0	0	0	0	0	0
			369	311	680	468	209	677

GEE Grades 10 - RSD TRADITIONAL SCHOOLS

			GEE (10 th grade) (Numbers of Students)					
			Language Arts			Mathematics		
No	Code	Name	Pass	Fail	Total	Pass	Fail	Total
1	396002	Joseph S. Clark Senior High School	6	49	55	7	52	59
2	396004	Walter L. Cohen High School	12	75	87	17	67	84
3	396011	John McDonogh Senior High School	12	103	115	21	92	113
4	396017	Sarah Towles Reed Senior High School	29	70	99	34	67	101
5	396022	Schwarz Alternative School	0	0	0	1	10	11
6	396026	G.W. Carver High School	16	76	92	43	48	91
7	396031	L.B. Landry High School	25	51	76	24	51	75
8	396043	Greater Gentilly High School	51	65	116	70	45	115
9	396044	Hope Academy	3	11	14	1	13	14
10	396045	New Orleans Career Academy	0	0	0	0	0	0
			154	500	654	218	445	663
