



## Orleans Parish School Board

3520 General de Gaulle Drive, Suite 5082  
New Orleans, Louisiana 70114

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**Edward M. Morris, Esq.**  
**General Counsel**

Office of the General Counsel  
(504) 304-3569 Office  
(504) 379-5705 Facsimile

December 19, 2012

**VIA ELECTRONIC MAIL: [jwilliams@thelensnola.org](mailto:jwilliams@thelensnola.org)**

Ms. Jessica Williams, Staff Writer  
The Lens NOLA  
1025 S. Jeff Davis Parkway  
New Orleans, Louisiana 70125

Re: Public Records Request (Moton Charter School)

Dear Ms. Williams:

This correspondence constitutes the Orleans Parish School Board's response to your public records request dated December 18, 2012, wherein you requested the following records:

- A copy of the investigation (with names of involved students redacted, per the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 CFR Part 99).
- Copies of the district's correspondence with Moton after the investigation, including any corrective action requirements district officials may have issued and any responses Moton officials may have given.
- Any documentation submitted to the Louisiana Department of Education regarding the investigation.

With regard to your first bullet point requesting "[a] copy of the investigation . . .," it is general in nature and lacks the specificity needed for staff to determine whether such documents exist. Please provide a more specific request setting forth the particular documents you seek.

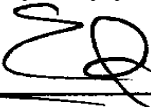
The attached documents respond to your remaining requests. Please be advised that the records have been redacted to eliminate certain school employee personnel file information that is exempt from production pursuant to La. R.S. 44:4.1(B)(8) and La. R.S. 17:1237. The redacted

information is further exempt from disclosure based on the employee(s)' reasonable expectation of privacy afforded by the Fourth Amendment of the United States Constitution and/or the Louisiana Constitution.

Note that there is no "documentation" as requested in your third bullet point, as nothing was submitted to the Louisiana Department of Education beyond the findings.

If you have any questions, please contact me. With best regards, I am

Very truly yours,

A handwritten signature in black ink, appearing to be "EM", written over a horizontal line.

Edward M. Morris

**ROBERT RUSSA MOTON ELEMENTARY SCHOOL**  
**"AN ACADEMY OF LEARNING"**

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MRS. PAULETTE P. BRUNO  
PRINCIPAL

3774 Gentilly Boulevard  
NEW ORLEANS, LOUISIANA 70122  
TELEPHONE (504) 245-4400

July 30, 2012

Kathleen Padian  
Deputy Superintendent of Charter Schools  
Orleans Parish School Board  
3520 General DeGaulle Drive  
New Orleans, LA 70114

Ms. Padian,

On behalf of the Board of Advocates for Innovative Excellence, I write this letter in response to your letter dated May 30, 2012. It is our understanding that New Orleans Public Schools ("NOPS") received complaints of testing irregularities in March of 2012 that allegedly occurred during the 2011 State standardized testing cycle. As a result, NOPS staff interviewed employees and students about these alleged irregularities.

We take these types of allegations very seriously. In response to the allegations, we hired the law firm of Adams and Reese to conduct an independent investigation and provide the Board recommendations. After a thorough investigation, Adams and Reese concluded that it was not able to confirm the complaints. We are aware, however, that you believe that your interviews validate the allegations.

In the spirit of cooperation and because even the appearance of impropriety in these regards is a serious matter that will always be handled aggressively by this Board, as you and Superintendent Smith discussed with our counsel, we write to inform you that we plan to implement the recommendations referenced in your May 30, 2012 correspondence. We further plan to go beyond the recommendations to implement additional steps to prevent even the appearance of irregularity in the future.

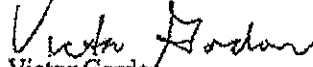
Moton confirms in this correspondence that, as agreed upon by Moton's attorneys and the Superintendent, the following actions have been taken:

Moton will not request any test booklets in advance of the test for upcoming testing cycles but will only schedule with NOPS to receive these materials. Fifth, as discussed with the Superintendent, rather than requiring the school to send letters home to the parents regarding these allegations, Moton will instead make an appearance before the OPSB Accountability Committee to provide a report on these issues.

In addition to the recommendations set forth in your letter, Moton will require all test prep teachers to prepare a catalog of all pretest materials used for test preparation and present that to the Test Coordinator for her files, providing records of what is provided to the students prior to state testing.

We trust that these areas have been addressed to your satisfaction. We look forward to our continued relationship with OPSB and NOPS and are available to meet on any future issues that may arise.

Thank you,



Victor Gordon

Advocates for Innovative Excellence

# ADVOCATES FOR INNOVATIVE SCHOOLS, INC.

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VICTOR GORDON  
PRESIDENT

3774 GENTILLY BOULEVARD.  
NEW ORLEANS, LOUISIANA 70122  
TELEPHONE (504) 245-4406

June 28, 2012

Ms. Kathleen Padian  
Deputy Superintendent of Charter Schools  
Orleans Parish School Board  
3520 General DeGaulle Drive  
New Orleans, LA 70114

RE: Moton Charter School

Dear Ms. Padian:

As you are aware, we have engaged Adams and Reese to investigate and review the complicated issues related to the allegations of testing irregularities at Moton Charter School. We take these allegations seriously and, accordingly, want to make sure that our investigation into the claims is complete.

It is our understanding that you will meet with Adams and Reese on July 3, 2012 to discuss these allegations and your recommendations. After that meeting, Adams and Reese will need to meet with us to report on their findings based on their investigation and to discuss the meeting with you. Afterwards the board will determine, based on Adams and Reese's investigation, how we will address the claims and your recommendations.

Therefore, we are requesting an extension of time until July 30, 2012 to fully address, investigate and respond to your recommendations. We appreciate your courtesies in this matter.

Very truly yours,



Victor Gordon

President

Advocates for Innovative Schools, Inc.

Cc: Darryl Kilbert, Superintendent  
Edward Morris, General Counsel



# Orleans Parish School Board

3520 General DeGaulle Drive \* New Orleans, Louisiana \* 70114  
504-359-8195 Office

*Kathleen Padian, Deputy Superintendent for Charter Schools*

May 30, 2012

Victor Gordon  
President  
Board of Trustees  
Robert Russa Moton Public Charter School

Dear Mr. Gordon,

I am writing to inform you that Robert Russa Moton Charter School has been found to be in violation of its current operating agreement with the Orleans Parish School Board. Per section 3.2.2 of the operating agreement, Moton Charter School is required to follow all rules and regulations related to the state testing and accountability procedures. Please see the relevant sections of your operating agreement below:

**10.1 Authority.** OPSB shall have oversight authority over Charter School as permitted under State law and may take all reasonable steps necessary to confirm that Charter School is and remains in material compliance with this Operating Agreement and applicable law....

10.1.2 Monitoring the performance and compliance of Charter School within the terms of this Operating Agreement and applicable laws, policies and regulations;

10.1.4 Monitoring the educational, legal, fiscal and organizational condition of Charter School...

**3.2 Educational Program.** Charter School shall have control over and responsibility for delivery of the Educational Program and for attainment of the academic performance standards as set forth in OPSB Policy A127 (Charter School Evaluation).

3.2.2 Charter school shall be subject to and comply with all requirements related to the state assessment and accountability system for public schools, pursuant to La. R.S. § 17:3996(A)(17) and La. R. S. § 17:3996(B)(17-18).

## **2. School Performance.**

2.1 Authorizer will evaluate Charter School's outcomes based on educational, financial and organizational performance using the indicators and standards set out in OPSB Policy A127 or its successor (Charter School Evaluation Policy).

## **11. Revocation/Termination.**

11.1 As provided by law, this Operating Agreement may at any time be terminated and revoked upon a determination and affirmative vote by a majority of OPSB that Charter School, its board members, officers or employees did any of the following:

11.1.1 Committed a material violation of this Operating Agreement;

11.1.2 Failed to substantially achieve within the agreed timelines the academic results specified in this Operating Agreement;

11.1.3 Failed to meet generally accepted accounting standards for fiscal management; or

11.1.4 Egregiously and/or consistently violated applicable federal, state or local law.

An investigation launched by the Accountability Office of OPSB on March 28, 2012 and based on numerous complaints from current and former faculty members about inappropriate testing procedures at the school have yielded information to the contrary. Following interviews with several staff members and students, it was confirmed that students were provided access to the writing prompt for phase 1 of the 2011 Grade 4 LEAP prior to the testing date.

As a result of this violation, we require that the Board members take action to correct the issues or risk revocation of the charter agreement. These corrective actions are non-negotiable and include:

- 1) Immediate termination at Robert Russa Moton Charter School
- 2) Hiring of Trustees who will report to both the Principal and the Board of Trustees
- 3) Disciplinary action

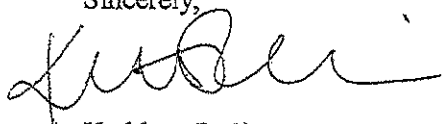
The Board of Moton Charter School

will produce evidence of additional disciplinary actions no later than June 30, 2012.

- 4) The Orleans Parish School Board's Office of Charter Schools will be sending a letter home to all households of Moton charter school students informing them of this violation.
- 5) The Orleans Parish School Board office of Accountability will no longer allow the Moton Charter School to have access to the test booklets in advance of administration of any test for the next two testing cycles.

I will be happy to assist the Board of Moton Charter School in the execution of the above actions if desired and otherwise will await your report no later than June 30, 2012.

Sincerely,



Kathleen Padian  
Deputy Superintendent of Charter Schools

cc: Darryl Kilbert, Superintendent, Orleans Parish School Board



# Orleans Parish School Board

3520 General DeGaulle Drive \* New Orleans, Louisiana \* 70114  
504-359-8195 Office

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*Kathleen Padian, Deputy Superintendent for Charter Schools*

May 21, 2012

Victor Gordon  
President, Board of Directors  
Advocates for Innovative Schools  
Robert Russa Moton Charter School  
4531 Dreux Ave.  
New Orleans, LA 70126

Mr. Gordon,

When we met on March 27th, Superintendent Kilbert informed you that my office had received several complaints about testing irregularities at Robert Russa Moton Charter School and an investigation would be initiated by our Accountability Officer. I am writing today to inform you that the investigation is complete and the irregularities have been confirmed.

I would like to meet with you and one additional Board member as soon as possible to discuss the results of our investigation and how this will affect Moton's operating agreement with Orleans Parish School Board.

Please let me know if you are available on May 29<sup>th</sup> or 30<sup>th</sup> at 10:00 a.m. You may reach me at 504-359-8195 or [Kathleen.Padian@opsb.us](mailto:Kathleen.Padian@opsb.us). I will look forward to hearing from you.

With regards,

Kathleen Padian  
Deputy Superintendent for Charter Schools

cc: Thomas Robichaux, President, Orleans Parish School Board  
Brett Bonin, Chair of Accountability Committee, Orleans Parish School Board  
Darryl Kilbert, Superintendent, Orleans Parish School Board





# Orleans Parish School Board

3520 General DeGaulle Drive \* Suite #5055 \* New Orleans, Louisiana \* 70114  
(504) 304-3810 office (504) 367-2534 fax

*Bridget H. Brown, Office of Accountability/Assessment*

May 4, 2012

Scott Norton, Ph. D., Assistant Superintendent  
Office of Standards, Assessments, and Accountability  
Louisiana Department of Education  
P.O. Box 94064  
Baton Rouge, LA 70804

Dear Dr. Norton,

This letter serves as the official response to allegations of testing irregularities during the spring 2011 administration of LEAP/iLEAP at Moton Charter School (036149). On March 28, 2012, it was brought to my attention that allegations had been made regarding testing irregularities during the spring 2011 administration of LEAP/iLEAP. Those allegations include:

- Students being provided access to the writing prompt for grade 4 LEAP prior to the administration of phase I testing,
- Students being tested by the principal, who provided Test Read Aloud accommodations to students who were not entitled to such based upon an IEP or IAP,
- Students being allowed to finish testing after school, during the after-school program, and
- Students being instructed to leave answers blank, if they were uncertain of the correct answer.

Consequently, an investigation was conducted, beginning with an interview on April 12, 2012, with the individual making the allegations, who was willing to speak under the promise of anonymity.

Because the school has a year-around schedule, the school was not in session from March 28<sup>th</sup> until April 12, 2012, which impeded interviews with individuals currently associated with the organization. On May 2, 2012, following spring testing, interviews were conducted with Paulette Bruno, the principal, Linda Brickham, the school test coordinator, Brenda Irvin, Cynthia Jackson, Kya McLaurin and Suzanne Encalarde, who were test administrators during the time in question, and a random sample of twenty-four students in grades 4 through 7, who were tested at Moton during the spring 2011 test administration.

The interviews conducted with the staff members addressed school site initiatives that were in place to ensure the academic success of students. In these interviews, various literacy strategies and resources were referenced as contributors to the success of their students. One of the strategies mentioned involved the students engaging in the writing process which involved daily activities which spanned the course of the week. When one

*"Success is the ONLY OPTION!"*

of the teachers was asked the source of the writing prompts used in this activity, she indicated that they were provided by Ms. Brickham, the Instructional Coach.

During the student interviews, students were asked to refer to their testing experience during the previous academic school year to discuss the testing accommodations provided during the test, their perceived readiness for the test, who served as test administrator and what arrangements were made for them when they were not able to finish the test in the allotted time.

From these discussions, students indicated that they felt prepared for the tests, though they felt some apprehension prior to beginning the test. They said that the materials taught looked like the materials covered on the test. When I asked if the materials look similar to or identical to the information on the test, four of the six 5<sup>th</sup> grade students included in the sample indicated that they had seen the writing prompt for the grade 4 LEAP test. Furthermore, one of the six students indicated that the instructional coach had assisted him in editing his essay.

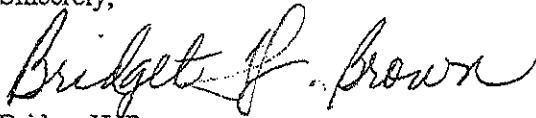
Each of the students who were interviewed indicated that their test administrator from last year's test administration was their classroom teacher for last year. One of students interviewed indicated that the principal administered the test on one day when their classroom teacher was absent from school. Each was also asked if he/she read his/her own test or was it read by the test administrator, the students responses were consistent with the appropriate testing accommodations that were documented in their records.

Lastly, students were asked if they were able to finish the sessions of the test within the allotted time. Based upon the students' replies, the school was in compliance with standard testing protocol.

Based upon the information gathered from the sample population interviewed during this investigation, it appears that students within this sample were provided access to the writing prompt for phase 1 of the 2011 administration of grade 4 LEAP prior to the administration. However, there is no evidence to support any of the other aforementioned allegations mentioned in paragraph one of this document.

If any additional information is needed regarding this investigation, please contact me at (504)304-3810.

Sincerely,



Bridget H. Brown  
District Test Coordinator

cc: Darryl C. Kilbert, Orleans Parish School Board Superintendent of Schools  
Kathleen Padian, Executive Director of Charter Schools

*"Success is the ONLY OPTION!"*

**Moss, Kathy**

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**From:** Brown, Bridget  
**Sent:** Tuesday, May 01, 2012 11:27 AM  
**To:** Paulette Bruno  
**Cc:** Audric, Gail; Padian, Kathleen  
**Subject:** Site Visit

**Importance:** High

Due to reports of alleged occurrences of testing irregularities, OPSB Office of Accountability/Assessment will conduct an investigation on the morning of Wednesday, May 2, 2012. At this time, I will need to have access to interview students and staff members.

Thank you for your cooperation in this matter.

*Bridget H. Brown*

Accountability/Assessment Specialist  
Orleans Parish School Board  
Office: 504-304-3810  
Mobile: 504-458-3639  
Fax: 504-367-2534

## **Padian, Kathleen**

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**From:** Padian, Kathleen  
**Sent:** Monday, March 19, 2012 4:14 PM  
**To:** Victor Gordon  
**Cc:** Frank Williams; Barbara Major; Velta Simms; Kilbert, Darryl C.  
**Subject:** Request for Meeting

**Importance:** High

Members of the Board for Robert Russa Moton Charter School,

Several current and former employees have contacted my office over the past few weeks with some very serious concerns about the operation and management of your school. I would like to meet with you at your earliest convenience to discuss these allegations and how we might work together on a remedy. I am sure that you agree that the safety and education of our children is our top priority and I would appreciate a response via email or by phone as soon as possible. Please also share this request with any other members of your board who are not included on this email. You may reach me at 504-359-8195 (o) or 504-919-7633 (c) or via email at [kathleen\\_padian@opsb.us](mailto:kathleen_padian@opsb.us)

With regards,

**Kathleen Padian**  
**Executive Director of Charter Schools**  
**Orleans Parish School Board**  
**[Kathleen\\_Padian@opsb.us](mailto:Kathleen_Padian@opsb.us)**  
**C: 504-919-7633**