

The Deception of the “Lottery” at Lycee Francais and Audubon Schools The Misuse of Charter Schools – Part II

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Charter schools are tuition-free, independently-operated public schools that admit students based on a lottery if more apply than can be accommodated. However, the lottery is skewed at Lycee Francais de la Nouvelle-Orleans Charter School and Audubon Charter School, each located in uptown New Orleans. Lycee Francais’ pre-kindergarten children, whose parents pay \$4,570 tuition, are able to re-enroll into the tuition-free kindergarten, skipping any lottery. At Audubon, children whose parents pay \$9,050 for a private pre-kindergarten, enter Tier 1 of the lottery and enroll first into the tuition-free kindergarten. Charter schools are to be open and accessible to all children. Skewing the lottery in favor of children whose parents are able to pay for pre-kindergarten is a misuse of the charter school concept.

Why is there a lottery requirement for charter schools?

To understand why there is a lottery begins with first understanding the reason for charter schools. Decades ago, congress enacted a federal lawⁱ through which funds were provided to close the achievement gap between the disadvantaged and those who were not. And for decades, various programs were developed and funded to attain this goal, but to no avail. When the federal law was re-enacted as No Child Left Behind (NCLB)ⁱⁱ, charter schools were introduced as a way of reducing the achievement gap. Since most disadvantaged students come from large city schools, and since city school systems are notoriously bureaucratic, the idea was to abandon the centralized governance in favor of more site-based governance, *i.e.*, charter schools.ⁱⁱⁱ Thus, parents would no longer have to send their children to the failing neighborhood school operated by a bureaucratic central office; they could opt to send their children to an independently-operated charter school.

Knowing that parents would now have this choice, the federal law incorporated ways to make this choice fair to all students who wanted to attend charter schools. Thus, the lottery^{iv} was mandated as the fair way to give all children an equal chance of being accepted into a charter school. First, a deadline for applications is established. Then, a random lottery is held if more children apply than can be accommodated.

Lycee Francais de la Nouvelle-Orleans Charter School

Lycee Francais is a charter school that opened this year (2011-2012) in uptown New Orleans with prekindergarten and kindergarten. It is a Type 2 charter school, meaning it was authorized by the Board of Elementary and Secondary Education.

According to its charter application, pre-kindergarten tuition would be \$4,570 per year, and the school would include a tuition-free kindergarten^v. The application said that Lycee Francais would also apply to La4 to fund spaces in the pre-kindergarten for free and reduced price lunch

children. The La4 funds are limited. Lycee Francais did not receive any La4 funds.^{vi} Lycee Francais did not chose to use Title I NCLB funds to pay for a pre-kindergarten for the disadvantaged. Thus pre-kindergarten became strictly for those who could pay \$4,570, *i.e.*, a private pre-kindergarten attached to public charter school kindergarten.

In its charter application to BESE, Lycee Francais stated that “no tuition will be charged for disadvantaged Pre-K 4 children, that is, those who fall under the free and reduced price guidelines.” This statement in their application implies that the pre-kindergarten program will admit disadvantaged students. However, the enrollment flyers distributed in the community do not mention any information about a tuition-free PreK-4 program for children who fall under the free and reduced price guidelines.^{vii}

The admission process, within Lycee Francais’ charter application, addresses both a lottery and re-enrollment:

- Lottery: “Applications will be numbered on a first-come, first-serve basis. If there are more applications than seats available, a lottery will be conducted.”^{viii}
- Re-enrollment: “A March date will be identified for Lycee Francais students to re-enroll for the following year. Parents will be required to fill out a re-enrollment form.”^{ix}

Since pre-kindergarten students are listed as Lycee Francais students on the charter application, and since the above re-enrollment procedure states that Lycee Francais students can re-enroll for the next year, it follows that the pre-kindergarten students who paid nearly \$5,000 tuition can re-enroll and circumvent the lottery, thereby granting a preference to children of those able to afford pre-kindergarten.

According to an administrator in the charter school office, Lycee Francais is operating a private day care, approved by the Department of Family and Children Services.^x Since Lycee Francais has included this pre-kindergarten program as an entry level grade into the kindergarten, this means that a tuition program grants access to a tuition-free charter school. This defies what the US Department of Education has to say about such circumstances:

“A tuition-based private preschool program that becomes a public charter school at the kindergarten level cannot permit children enrolled in the preschool program to continue in the elementary program without going through the lottery process. The preschool program is private, charges tuition, and most likely does not admit all students. Thus, allowing its students to gain admission to the elementary program without going through a lottery process would violate No Child Left Behind.”^{xi}

Louisiana’s charter school office has responded to questions regarding this matter by saying that “pre-kindergarten children will not simply be able to re-enroll, rather, they will have to participate in the lottery to enter kindergarten.”^{xii} However, this requirement is not contained within the charter application, which states that:

1. Pre-kindergarten is an entry level grade to kindergarten, and
2. Pre-kindergarten students are Lycee Francais students, and
3. Lycee Francais students can re-enroll.

Additional Issues:

Private Daycare Approved in Charter Application

One issue that surfaces is whether the pre-kindergarten at Lycee-Francais should have been approved by BESE as a part of the Lycee-Francais charter school, since it charges tuition, thus making it private rather than public. According to a Louisiana Department of Education spokesperson, the pre-kindergarten is “a private day care center registered with the DCFs.”^{xiii}

Lycee Francais’ application lists the pre-kindergarten as an entry level grade into the Lycee-Francais Charter school. Yet, the pre-kindergarten is actually a private daycare operating at the same site as the charter school. In its application to BESE, Lycee Francais indicates that both pre-kindergarten and kindergarten students are Lycee Francais students, and states that those grades are the charter school’s entry level grades.^{xiv}

Private Day Care Funded with Federal Charter School Grant

Lycee Francais de la Nouvelle-Orleans received a federal charter school grant in the amount of \$139,782 for the 2011-12 year.^{xv} According to federal grant guidelines, these funds must be used only for charter schools that comply with the federal definition of a charter school. The federal definition as found in No Child Left Behind (NCLB) states that charter schools must be tuition-free.

However, the Lycee Francais charter school grant of \$139,782 will pay for the private pre-kindergarten. In the “Plan for Use of Funds,” Lycee Francais lists costs for classroom furniture, supplies and other pre-kindergarten expenditures.^{xvi}

The Board of Elementary and Secondary Education approved this grant even though federal guidelines require all funds distributed through the Federal Charter Start Up grant to be spent on tuition-free charter schools. In the case of Lycee Francais, these are public funds being used for private purposes.

Audubon Charter School

Just like Lycee Francais de la Nouvelle-Orleans charter school, Audubon Charter School has arranged for pre-kindergarten children, who are enrolled in an expensive private pre-kindergarten, to skip the lottery.

Audubon Charter School existed prior to Hurricane Katrina and was named Audubon Montessori School.^{xvii} It was a magnet school that selected its student body. At the time of the state takeover in 2004-05, Audubon had a School Performance Score of 113.1, which was well above the state average of 87.4. Thus, Audubon was not among the schools taken-over by the state.^{xviii} However, both the failing schools that were taken-over, and the non-failing schools

that remained with the Orleans Parish School Board were targeted to become charter schools, in contradiction to Louisiana law, which created charter schools for at-risk students. Even though Audubon was not a failing school at the time of the takeover, and even though the choice of which children attended Audubon was the choice of the school, not that of the parents, Audubon was converted to a Type 3 charter school, simply because that was the way things were done after Katrina.

At Audubon Charter School, there is a two-tiered lottery system, which is skewed to accept children in Tier 1. A child who attends pre-kindergarten at an accredited French school enters into Tier 1 lottery.^{xix} The accredited private French school, Ecole Bilingue, has a pre-kindergarten with a yearly tuition of \$9,050.00 for full day.^{xx} Thus, children whose parents can afford to pay for this expensive pre-kindergarten have first access to kindergarten at Audubon Charter School.

In its 2005 charter application, Audubon Charter School stated that a lottery will be used “if the school has a surplus of students qualifying for admission.”^{xxi} The application does not address what is actually used, which is not simply a lottery, but a Tier 1 and a Tier 2 lottery. In its flyer, Audubon states that there are two lotteries for kindergarten: Tier 1 and Tier 2. The flyer advises that “Tier 1 students will fill any available slots first,” and that Tier 1 students are those “transferring from an accredited French school.”^{xxii} Thus, children who attend the private pre-kindergarten have first access to kindergarten at Audubon.

Concerns about the PreK 4 Deception

There is a place in New Orleans, a diverse city, for diversity of schools. Renewed governance was long overdue in New Orleans. A return to how the school system operated prior to Katrina is not even an option. However, building a dual system of charter schools, and pretending that all charter schools are similarly situated is not the answer either.

- There is a dual system of charter schools in New Orleans.
- No Child Left Behind requires equal access for all charter schools. Yet, in New Orleans there are the (1) selective charters, and the (2) open admission (equal access) charters.
- Lycee Francais and Audubon select kindergarten children based upon their parents’ ability to pay for an expensive pre-kindergarten. They are not equal access schools, yet they have received federal charter school funding.

Conclusion

Some charter schools are becoming instruments for educating only a select group of students, as in the case of Lycee Francais and Audubon. These are not the equal access charter schools defined in No Child Left Behind. Allowing charter schools to select kindergarten students based

upon the wealth of the parents to pay for an expensive pre-kindergarten is a misuse of the charter school concept.

Endnotes

ⁱ ESEA: The Elementary and Secondary Education Act (Public law 89-10, 79 Stat.27, 20USC70). ESEA was passed as part of President Lyndon B. Johnson's "War on Poverty," which aims to shorten the achievement gaps between students by providing each child with equal opportunities to achieve an exceptional education.

ⁱⁱ NCLB: No Child Left Behind (Public Law 107-110). On January 8, 2002, President George Bush signed into law the No Child Left Behind Act of 2001, reauthorizing the Elementary and Secondary Education Act.

ⁱⁱⁱ NCLB, Title V, Part B: Charter Schools. Section 5203: Each state agency desiring a charter school grant shall submit to the US Department of Education an application containing . . . "a description of how each child in the community will be given an equal opportunity to attend the charter school."

^{iv} NCLB, Title V, Part B: Charter Schools. Section 5210: "The term 'charter school' means a public school that . . . (f) does not charge tuition, and ; . . . (h) admits students on the basis of a lottery if more children apply for admission than can be accommodated."

^v Lycee Francais de la Nouvelle-Orleans: Application for Type 2 charter submitted to the Board of Elementary states that Lycee Francais will charge tuition for its Pre-K 3 and Pre-K 4 programs. (p. 45) In its application for charter school grant funds, Lycee Francais does not say that it intends to charge tuition for prekindergarten. It simply says, "The curriculum begins at the pre-kindergarten level and continues through 12th grade." (p. 2).

^{vi} La Department of Education, LA4 Program Funds, Department of Early Childhood Programs.

^{vii} Lycee Francais: Flyers- See Appendix A and Appendix B.

^{viii} Lycee Francais charter application submitted to BESE: "Applications will be numbered on a first-come, first serve basis. If there are more applications than seats available, a lottery will be conducted." (p.46)

^{ix} Lycee Francais charter application submitted to BESE: "A March date will be indentified for LFNO students to re-enroll for the following school year." (p. 47)

^x "The school registered with DCFS to operate a private day care center." Email from Raphael Gang, La Dept of Education, Office of Parental Options, September 28, 2011.

^{xi} United States Department of Education, Charter School Program, Non-regulatory Guidance.

^{xii} In response to the question of whether the prekindergarten children in the tuition prekindergarten program have the first right of enrollment into the tuition-free kindergarten, this response was received, via email, from Raphael Gang on September 28, 2011: " No, they do not. It's a completely new enrollment process that cannot preference students in the pay preschool."

^{xiii} See Endnote X.

^{xiv} Lycee Francais Charter School Application to BESE. (p. 8)

^{xv} In its federal charter school grant application, Lycee Francais does not say that prekindergarten charges tuition. (Charter schools must be tuition-free to receive federal funding.) It states that Lycee Francais "will have space for 135 pre-K through Kindergarten students the first year." (P. 6 of application for federal funds.) What it does not say is that the majority of these students will attend the tuition prekindergarten. Lycee Francais received a \$139,782 grant for 2011-12. Application submitted by Lycee Francais: Public Charter School Program, CFDA#84.282A.

^{xvi} Plan for Use of Funds Chart, attached to Lycee Francais application for federal charter school funds.

^{xvii} District Composite Report, Orleans Parish Schools, 2004-05, Audubon Montessori School, Code 036005.

^{xviii} *Ibid.*

^{xix} Audubon Admission Process.

^{xx} Ecole Bilingue de la Nouvelle Orleans, 2011-12 Tuition and Fees, See Appendix C.

^{xxi} Audubon Charter School Application, December 2005, Section VI: School Policies, p. 44: "If the school has a surplus of students qualifying for admission, a lottery will be used to determine acceptance."

^{xxii} Audubon Charter School Admission Process, See Appendix D.

APPENDICES A - D:



- Home
- Information
- Community
- About
- Academics

Tuition | Pre-K3 & Pre-K4

2011-2012 Tuition & Fees

Kindergarten to 12th grade*:	FREE
Pre-K3 & PreK4:	\$4,570.00
Consumables*:	\$150.00

**2011-2012 school year will only include Pre-K3, Pre-K4 and Kindergarten*

***Includes all instructional supplies, materials, and workbooks. Not included are a student's personal supplies and field trips*

Tuition Payment Plans

1. Single Payment Plan: Tuition for Pre-K3 and Pre-K4 is due in full on **July 1st, 2011**.
2. Monthly Payment Plan: Total tuition is due in ten (10) equal loan payments. Loans are available through **ASI Federal Credit Union – ASI Tuition Loan Application**. Please email the loan application to Terri Miller at terri.miller@asifcu.com or Penny Sandras at penny.sandras@asifcu.com or fax to their attention at 504 733-1275. They can be reached at 504-733-1733 ext 79150 or 79148 for questions. *Loan applications are due to ASI by May 27th.*

[Staff Log In](#)

Tuition

For Pre-K3 & Pre-K4 only. Please mail tuition payments to:

LFNO
c/o David Bedell
5401 S. Claiborne Ave.
New Orleans, LA 70125

[more tuition info](#)

Follow Us!

<http://www.lfno.org/information/admissions/tuition-prek3-prek4/>

9/12/2011



Attention Parents!

Lycée Français de la Nouvelle Orléans

is a public French School that offers the complete French National Curriculum governed by the French Ministry of Education. It is a School of Excellence, one of academic rigor, high expectations, and takes great pride in its diverse cultures and students.

Lycée Français de la Nouvelle Orléans students will matriculate into the finest colleges and universities worldwide. *Lycée Français* will provide its students the opportunity to receive the *Baccalauréat Français-Américain* and the Louisiana high school diploma in an academically challenging and culturally diverse educational environment.

Lycée Français is now accepting applications for students in PreK-3, PreK-4, and Kindergarten classes for enrollment in August 2011.

- Tuition-free K-12th grade French School
- Pre-K 3 and 4 year old classes (fee based capped at \$ 4,500/year)
- Adding grades every year through High School
- Rigorous academic standards for all
- Disciplined environment with uniforms
- Excellent, highly educated teachers
- Family partnerships with frequent contact
- After Hours Arts (AHA!) student enrichment and homework instruction
- French Summer Camp
- Focus on community service & leadership

Learn More About Our School:

LFNO is holding informational sessions for parents who are interested in learning more about our school. Applications for enrollment will be available at these informational meetings:

Location	Date	Times
5401 S. Claiborne Ave. New Orleans, LA, 70125	January 8 th	9:30 AM – 12:00 PM
	January 19 th	5:30 PM – 8:00 PM

www.LFNO.org

Tuition and fees

2011-2012 Tuition and Fees

Tuition:

Crèche and Pre-school Tuition:

½ Day Pre-School \$7,160.00

Full-Time: \$9,050.00

Kindergarten and Elementary Tuition: \$9,575.00

Middle School Tuition: \$9,575.00

A non refundable and non-transferable tuition deposit of \$2,000.00 is due by **January 18, 2011**.
A discount of 10% off tuition is applied to all subsequent siblings.
The oldest child's tuition should be paid in full.

Fees:

Registration/Application Fee: \$50.00 (All students)

Supply Fee: \$250.00 (All students)

Book Fee: \$100.00 for K/ \$200.00 for 1-5 / \$400.00 for Middle School

Facility Fee: \$675.00 (All students)

Student Insurance: \$6.00 (All students)

Tuition Insurance: 3% of total tuition cost (If balance not paid in full by June 1, 2011)

All families enrolled in Smart Tuition are required to pay Tuition Insurance.

Fees are non-refundable and non-transferable and must be paid in full by **March 16, 2011**.

Fees are not covered by tuition insurance.

Total Tuition and fees by class (Calculations include Tuition Insurance)

CLASS	FEEs	TUITION	TOTAL
1/2 Day Pre-School (Crèche-Petite)	\$1,195.80	\$7,160.00	\$8,355.80
Full-time Pre-School (Crèche-PreK)	\$1,252.50	\$9,050.00	\$10,302.50
Kindergarten	\$1,368.25	\$9,575.00	\$10,943.25
First-Fifth grade	\$1,468.25	\$9,575.00	\$11,043.25
Sixth grade	\$1,668.25	\$9,575.00	\$11,243.25

Download Tuition and Fees

students will fill any available slots first. If there are any remaining slots, those vacancies will be filled with students from the Tier 2 lottery.

- Students applying for 3rd – 8th grade must meet a minimum score of 20 out of a possible 35 points on our admissions matrix. Tier 1 applicants who meet the admissions requirements will be accepted if space is available at the grade in which you are applying. All applicants will be notified of their status (e.g. accepted, waiting list or not accepted). We will keep the applicant's name on file until the first day of the 2010-11 school year.

When is the lottery?

The lottery will be held on Thursday, February 11, 2010 at 8:30 a.m. The lottery will take place at the Carrollton Campus, 719 S. Carrollton Avenue, in the school cafeteria. Attendance is NOT required.

I don't understand Tier 1 and Tier 2 – how does that work?

We accept students in both programs on a two-tiered basis.

French School

- **Pre-K Tier 1** applicants are siblings of students who are currently attending Audubon Charter School, French Nationals and students transferring from an accredited French School.
- **Pre-K Tier 2** applicants are all other students including Francophones. This applies to Pre-K applicants only.
- **Kindergarten – 8th Tier 1** applicants are siblings of students who are currently attending Audubon Charter school, French Nationals, students transferring from an Accredited French School and Francophones. Please note students who have not previously attended an accredited French School may have to be tested for French proficiency in the grade for which they are applying.
- **Kindergarten – 8th Tier 2** applicants are all other students who do not meet Tier 1 status. All Tier 2 applicants are required to take a French proficiency test in the grade for which they are applying.

Montessori School

- **Pre-K Tier 1** applicants are siblings of students who are currently attending Audubon Charter School.
- **Pre-K Tier 2** applicants are all other students who do not meet the Tier 1 criteria.
- **Kindergarten – 8th Tier 1** applicants are siblings of students who are currently attending Audubon Charter School and students who have previously attended an approved and/or accredited Montessori School. Please note, applicants in 3rd-8th grade are required to meet the admissions criteria by scoring a minimum of 20 of a possible 35 points on the admissions matrix.
- **Kindergarten – 8th Tier 2** applicants are all other students who do not meet the Tier 1 criteria.

Is there a waiting list?

Audubon fills all vacancies with applicants who have applied by the application deadline of January 7, 2010. If there are more applicants for a particular grade than space available, a waiting list is created. Students will be selected from Tier 1 first. If there are still vacancies after the Tier 1 list is exhausted, students will be selected from Tier 2. Applicants are called from the waiting list in order of their lottery number. The waiting list is maintained until the first day of school in August 2010.

Do you have a gifted pre-K program?

Yes, we offered gifted services for our Pre-K students however it is not a requirement for admission.

How many vacancies do you have at (Pre-K, Kindergarten, 1st, etc.)?

The number of vacancies cannot be determined prior to acceptance letters being sent out.

What is the process for sibling applications?

Sibling Application Day is Tuesday, November 3, 2009 at 9:00 a.m. The meeting will be held at the Carrollton Campus in the cafeteria. Parents of current students who wish to apply for a sibling should attend.

Please note that transferring a student from one program to another is not automatic. This process requires a parent/teacher/administrator's conference, as well as a classroom observation.

What if I don't have my child's social security card or birth certificate?

You need to contact the Office of Vital Records to replace the Birth certificate. A copy of the applicant's birth certificate with the application is required. You must contact the Social Security Administration to replace the SS Card. The social security card is only required if your child is accepted to Audubon Charter School.

I did not know about the application deadline because I live out of town. Can I still apply?

We will only accept late applications if there are still vacancies after we have exhausted our waiting list.