



STATE OF LOUISIANA  
**DEPARTMENT OF EDUCATION**  
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<http://www.louisianaschools.net>

August 18, 2007

Darryl Kilbert, Acting Superintendent  
Orleans Parish School Board  
3520 General DeGaulle Drive  
New Orleans, LA 70114

Dear Superintendent Kilbert:

RE: Lusher Charter School

I am writing to relay my concern to you about certain matters regarding Lusher Charter School. First, I have received information that Lusher may be charging certain illegal fees. Every child is assessed what is described to be an "instructional fee" of \$175.00. This fee is not related to any particular activity or service and amounts to an "attendance fee" prohibited by law. R.S. 17:3991(E)(3). Secondly, your charter is assessing a fee for taking AP courses for "study guide material." The *Louisiana Constitution* specifically requires that all school books and materials of instruction be provided free of charge. LA. Const. Act VIII, § 13(A).

Additionally, I have been informed that a student living more than 1 mile from Lusher has been denied free transportation. The provision of free transportation to a charter school is the responsibility of the local school board. *Moreau v. Avoyelles Parish School Board*, 897 So. 2d 875 (La. App. 3<sup>rd</sup> Cir., 2005)

I am asking that you contact your charter and address the above concerns. If you have any questions, please contact James Hrdlicka, General Counsel, at (225)342-3572.

Sincerely,

Paul G. Pastorek  
State Superintendent of Education

PGP:JCH:mhg

c: Kathy Reidlinger, Head Master  
Wiley Ates, High School Principal  
Lusher Charter School

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