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. 3rd 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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