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January 30, 2007

By E-mail and Fax

Cecil J. Picard, Superintendent
James Hrdlicka, General Counsel
Louisiana Department of Education
1201 N. 3rd Street
Baton Rouge, LA 70802

Darryl C. Kilbert, Superintendent
Edward Morris, General Counsel
Orleans Parish School Board
3520 General de Gaulle Dr.
New Orleans, LA 70114

Robin Jarvis, Superintendent
Recovery School District
New Orleans Central Office
1641 Pollard Avenue
New Orleans, LA 70117

Linda Johnson, President
Louisiana Board of Elementary and Secondary Education
P.O. Box 866
Plaquemine, LA 70765

Weegie Peabody, Executive Director
Louisiana Board of Elementary and Secondary Education
1201 N. 3rd Street
Baton Rouge, LA 70802

To the Above-listed Recipients:

We write this letter to demand that you address immediately the deprivation of any and all educational services to students seeking to enroll in public schools in Orleans Parish.

By your or other public officials' own admission, at least 300 students who sought to enroll in public schools in Orleans Parish to date have been refused enrollment and/or denied any educational services, and placed on a "wait list" by the Recovery School District ("RSD") for an indeterminate period of time.

We have been in contact with a number of families or students who have been denied enrollment by the RSD. Many families have also sought enrollment and been turned away from schools operated by the Orleans Parish School Board (“OPSB”), and schools that have been granted charters by the RSD, OPSB or the Louisiana Board of Elementary and Secondary Education (“BESE”).

The RSD, OPSB and BESE -- as well as the Louisiana Department of Education which administers the RSD -- have a legal obligation to provide a free and appropriate public education to all eligible students. The failure to admit students seeking enrollment and to deprive them of any educational services for any period of time is a violation of state and federal law.

We ask that you immediately and publicly commit to the following measures:

- (i) Immediately enroll, or make adequate provisions (specified in writing) for students who have been placed on the “wait list” or have been refused enrollment to receive educational services commencing at the start of the second semester of the current school year;
- (ii) Certify in writing that all additional students eligible for public education in Orleans Parish and who may hereafter seek to enroll in Orleans Parish will not be placed on a “wait list”, refused enrollment or denied educational services.

We look forward to receiving your assurance that you are in the process of implementing these measures and policy changes by 3:00 PM CST on Wednesday, January 31, 2007. Please e-mail your response to the address below. If you are unable to provide such commitment by that time, we are prepared to take legal action to vindicate the rights of these students.

Sincerely,

Damon Hewitt
NAACP Legal Defense Fund
e-mail: dhewitt@naacpldf.org
cell: 646-409-6792