

## **Select and Non-Select Schools:**

### **LHSAA Moves Ahead of Department of Education to Provide for Equity**

Dr. Barbara Ferguson, Research on Reforms  
February 2013, [bferguson@researchonreforms.org](mailto:bferguson@researchonreforms.org)

For decades, John Curtis has won the top honor as the state's best football team, and Benjamin Franklin has won the top honor as the state's best academically performing school. John Curtis and Benjamin Franklin get to select their students.

There is nothing wrong with selecting students. What is wrong is comparing these schools with schools that do not get to select their students.

In an historic move last week, the Louisiana High School Athletic Association voted to remove the inequity of having select and non-select schools compete against each other. Now, select schools will compete against select schools, and non-select schools will compete against non-select schools.

The Louisiana Department of Education should learn from the LHSAA and remove inequities, when it cites school performance scores, by citing the scores of select schools in one group and then citing the scores of non-select schools in another group.

Select schools will always outperform non-select schools. The charter schools in New Orleans can selectively admit and retain students. They will always outperform the non-select traditional schools. For both athletics and academics, inequality exists when select and non-select schools are compared as if there is no difference between them. The LSHAA has now taken the leadership to remove this inequity. However, it is unlikely that the Louisiana Department of Education will follow the LHSAA example because the LDOE has to prove to the public that its alleged reforms are working. And, the LDOE does this through the deception of reporting high performance scores, without reporting that these high performance scores are from schools that select students.

#### **The Louisiana High School Athletic Association**

The Louisiana High School Athletic Association (LHSAA) was formed in 1920 when a group of high school principals met in Baton Rouge to discuss ways to better regulate and develop the high school interscholastic athletic program.<sup>1</sup> The LHSAA began with only one classification of schools, and later voted for two classifications: one class consisting of schools with an enrollment of 110 boys or more, and the other classification for schools with less than 110 boys. Eventually, other classifications were added through the years for a total now of seven classifications based on enrollment. Until recently, schools in lower classifications could opt to

play in higher classifications. The LHSAA membership consists of the participating high schools, with the principal recognized as the registered member.<sup>ii</sup>

For the past four decades, two private schools, John Curtis and Evangel, have claimed a combined 38 state championships. Unlike traditional public schools, private schools can select their students. This private school dominance at the top playoff level led to the historic decision by the LHSAA to separate schools into the categories of select and non-select.<sup>iii</sup> In doing this, the LHSAA said that select schools are not just private schools. Rather, select schools include all schools that are able to select students. Thus, the LHSAA identified as select schools “all non-public, charter, university lab and magnet schools,” as well as “any dual-curriculum schools that include at least 25 percent of their enrollment as select admission students who do not live in the designated attendance zone.”<sup>iv</sup>

LHSAA member Jane Griffin, principal of Winnfield public school and one of the co-authors of the proposal to separate the schools, said, “This doesn’t take championships away from select schools. It just makes my kids and other kids at public schools know that they’ve got a chance.”<sup>v</sup>

### **Benjamin Franklin High School in New Orleans**

Benjamin Franklin High School opened in 1957 with approximately one hundred students in the tenth grade. Other high school grade levels were added, and in 1960 the first class graduated.<sup>vi</sup> Benjamin Franklin opened as a magnet school, with academic admission requirements. Benjamin Franklin is now a charter school, still with academic admission requirements.<sup>vii</sup>

Admission to Benjamin Franklin High School is based upon a matrix score derived from the prospective student’s norm-referenced test scores, such as, the IOWA Test of Basic Skills. For admission to the ninth and tenth grades, the prospective student must score 88 points on the admissions matrix from the reading, language, and math portions of the norm-referenced test.<sup>viii</sup>

Once admitted, a student must adhere to Benjamin Franklin’s selective retention policy to remain in the school. For example, a student must maintain an overall 2.0 GPA (Grade Point Average) to remain at Franklin.<sup>ix</sup>

With its high admission and retention standards, Benjamin Franklin High School remains as the top performing high school in Louisiana.

### **Hiding Selectivity**

At the time of the state take-over in 2005, all failing schools were moved from the New Orleans Public School District into the Recovery School District. The magnet schools in New Orleans

remained in the New Orleans Public School District as none of the magnet schools were failing schools.

Before the state take-over, the schools that were able to select students were called magnet schools. Now, after the state take-over, they are called charter schools.<sup>x</sup> In changing from magnet to charter school status, the schools are still able to retain their selective admission and retention criteria.

During the LHSAA discussions about separating the high schools into select and non-select categories, Destrehan High Principal Stephen Weber commented, "I submit to you, if there was integrity, we wouldn't be having this discussion."<sup>xi</sup> This same lack of integrity is seen in the failure of the LDOE to disclose that many of the New Orleans schools have selection criteria.

Integrity and owning up to being a selective school in the LHSAA was discussed as far back as the 1980's (and probably further) when Dr. Barbara Ferguson, the author of this article, was a high school principal in New Orleans, and chair of the LHSAA Reclassification Committee. At that time, selecting student athletes was a problem. The LHSAA principals proposed numerous policies with regard to identifying schools that allegedly illegally recruited student athletics. Yet, it continued to be difficult to identify such schools. Weber's comment about integrity is important to the continued honorable existence of any organization dedicated to improving either athletic or academic performance of students. When integrity is lacking, then it might take years, but eventually most organizations, such as the LHSAA, act on behalf of its most vulnerable students.

Unfortunately, the Louisiana Department of Education has not acted on behalf of its most vulnerable students. The LDOE continues to give the top academic recognition to the schools that are able to select their students. The LDOE lacks the will and the integrity to distinguish the selective schools from the non-selective schools.

The LHSAA definition of select schools includes charter schools. This is accurate as the Louisiana Revised Statutes give charter schools the right to have admission requirements,<sup>xii</sup> and the Board of Elementary and Secondary Education gives charter schools the authority to set rules for removing students.<sup>xiii</sup> However, classifying charter schools as selective schools is not accurate for the rest of the nation's charter schools, where other state laws emulate the federal definition of charter schools as non-selective.<sup>xiv</sup>

The federal definition of a charter school uses the term "equal opportunity."<sup>xv</sup> Louisiana's definition of a charter school is not about "equal opportunity," but is about selective admission. Yet, Louisiana compares its charter schools' performance scores with the performance scores of charter schools in other states, alleging that Louisiana's charter schools are better, but without acknowledging Louisiana's selective admission. Neither on its website nor in its press releases

does the LDOE own up to the fact that New Orleans charter schools can both selectively admit and selectively retain students.

Selective retention, meaning that a school can retain only its top performing students and/or can remove students with behavior problems, is the area where the Louisiana Department of Education is most evasive. Charter schools in New Orleans do not have to report to the LDOE their self-made rules for expelling students. The Board of Elementary and Secondary Education, which oversees the LDOE said, through its member Chas Roemer, that charter schools have the autonomy to make their own rules to expel students. These rules are printed in each school's handbook and are not required to be sent to, or approved by, the Louisiana Department of Education.<sup>xvi</sup>

## In Conclusion

There is nothing wrong with being selective. But, there is something wrong with judging selective schools and non-selective schools together. Hopefully, the Louisiana Department of Education will learn from the LHSAA and categorize the schools into select schools and non-select schools in the reporting of performance scores. This would not only provide a fair picture of the achievement of students in Louisiana, but would give the message to students in traditional schools that they, too, have a chance to achieve the top performance honors.

---

<sup>i</sup> Louisiana High School Athletic Association. History of the LHSAA found at <http://lhsaa.org/about/history>.

<sup>ii</sup> *Ibid.* LHSAA Membership.

<sup>iii</sup> LHSAA meeting held on January 25, 2013. A vote of 206-119 favored the separation of high schools into select and non-select.

<sup>iv</sup> *Ibid.* Minutes from above meeting provide LHSAA definition of select school.

<sup>v</sup> Quotation taken from the New Orleans Advocate, January 26, 2013.

<sup>vi</sup> Benjamin Franklin High School website: [benfranklinhighschool.org/about/index.html](http://benfranklinhighschool.org/about/index.html).

<sup>vii</sup> Benjamin Franklin, 2012-13 Admissions Packet.

<sup>viii</sup> *Ibid.*

<sup>ix</sup> Benjamin Franklin High School Student Handbook, p. 21

<sup>x</sup> See LDOE District Composite Report for Orleans Parish for the years 2004-05 until current.

<sup>xi</sup> Quotation taken from the New Orleans Advocate, January 26, 2013.

<sup>xii</sup> La R.S.17:3991 (B)(3): Louisiana charter school law on admission requirements.

<sup>xiii</sup> "Charter Schools Can Expel Unwanted Students" Barbara Ferguson. See also "Dumping Kids Out: The Misuse of Charter Schools in New Orleans" Barbara Ferguson, July 2011. Website: [researchonreforms.org](http://researchonreforms.org)

<sup>xiv</sup> See "Admission Requirements for Charter Schools Defy NCLB" by Barbara Ferguson. Website: [researchonreforms.org](http://researchonreforms.org). Examples of charter laws in other states: Arizona: "Charter schools shall enroll all eligible students; eligibility is a function of grade level." Michigan: "Charter schools shall not discriminate in its pupil admissions policies on the basis of intellect or measures of achievement or aptitude." Missouri: "By law, all charter schools in Missouri must be free and open to all. A common misconception is that a charter school can have admission requirements."

<sup>xv</sup> NCLB, Section 5210(1). Federal Definition of charter school: "The term 'charter school' means a public school that admits students on the basis of a lottery if more apply than can attend," and assures that "all students in the community will be given an equal opportunity to attend the charter school."

---

<sup>xvi</sup> Comments by Mr. Chas Roemer, Chair, RSD Committee at the June 9, 2011 Meeting of the BESE Committee of the Whole for RSD Matters: “The charter school determines what they can and cannot do autonomously. So that is their decision, their discipline policy, their expulsion policy. . . .” (Comments transcribed by Learning Matters, Inc.)