

MINUTES
STATE BOARD OF EDUCATION
ST. PETERSBURG COLLEGE, SEMINOLE, FLORIDA
FEBRUARY 17, 2004

Chairman F. Philip Handy convened the meeting of the State Board of Education at St. Petersburg College, Seminole Campus, Seminole, Florida, at 9:00 a.m., February 17, 2004, with the following members present: Linda J. Eads; T. Willard Fair, Vice Chairman; Charles P. García; Julia Johnson, William L. Proctor; and Linda K. Taylor.

Welcome

Chairman Handy began the meeting with the announcement of the appointment of Linda K. Taylor as the newest State Board of Education member. Dr. Tom Furlong, Senior Vice President for Baccalaureate Programs, and Dr. James Olliver, Provost, welcomed the Board. Dr. Olliver gave the Board a brief overview of the College, including current and proposed initiatives.

Member Comments and Observations

Ms. Taylor complimented the Board on the strides made in moving forward the K-20 programs and stated that she looks forward to working with the Board members to continue that progress.

Chairman's Report

Chairman Handy gave each Board member a copy of the article he had written, Tyranny of the Exception, which appeared in the Fordham Foundation newsletter. Chairman Handy also brought to the Board's attention a review in the New York Times of Mr. Garcia's book, Message from Garcia.

Koret Task Force. Chairman Handy announced that May 14 and 15, 2004, the Koret Task Force will be meeting in Florida. The Koret Task Force is sponsored by the Hoover Institute and was formed to study the state of education in America.

Meetings of the State Board. The next meeting of the State Board will be in Tallahassee. The Board will continue to meet on the third Tuesday of every month, with the exception of July when there will not be a meeting. Chairman Handy requested comments and suggestions from the Board members for future workshops.

Chairman Handy concluded his report with a call for a motion on the minutes of the December 16, 2003, State Board Meeting. Vice Chairman Fair made the motion to approve the minutes with a second by Mr. Garcia. The motion passed unanimously.

Commissioner's Report.

Just for Kids Website. Commissioner Horne reported that he had represented Governor Bush in Washington, D.C., regarding the initiation of the Just for Kids website which is funded primarily by the private sector. The website is designed to allow parents to view data collected on individual schools. Commissioner Horne reported that Florida is one of six states currently on the website.

Personnel Update. David Foy has resigned as the Director of Legislative Affairs.

Recognition. Commissioner Horne recognized Cathy Wooley-Brown for her contribution as the Director of the Florida Charter School Resource Center at the University of South Florida.

VUPK Activities. Commissioner Horne announced that David Lawrence has been appointed by Governor Bush as a special assistant for the VUPK (Voluntary Universal Pre-Kindergarten) initiative. Mr. Lawrence will be part of a steering committee to further develop proposed legislation based on concerns and feedback received from constituency groups.

Just Read Florida! Mary Laura Openshaw updated the Board on the progress in the implementation of the K-3 reading program – Reading First -- funded through the No Child Left Behind federal grant. Ms. Openshaw reported that this is a six-year grant, and the Department is mid-way through the first year of implementation. Ms. Openshaw stated that the assessment model, Dynamic Indicators of Basic Early Literacy Skills, consists of screening, diagnostics, and progress monitoring. Ms. Openshaw gave a brief overview of the measures used in grades K-3 and the results shown by these measures. Chairman Handy pointed out that the Reading First allocation, as shown in the federal budget, had received a significant increase. Ms. Openshaw stated that this is a formula grant and as more money becomes available the number of schools included in the grant will increase.

Vice Chairman Fair made the motion to approve the Commissioner's report with a second by Dr. Eads. The motion passed unanimously. Mr. Fair requested information on the status of the Department's marketing plan. Commissioner Horne stated that the outreach plan was being implemented. Chairman Handy stated that progress in education, consistent with the State Board and Governor's initiatives, should be documented. Commissioner Horne assured the Board that information will be provided regarding the status of the implementation of communicating Florida's educational progress.

Reports/Updates

State University System Activities. Chancellor Austin reported on the four goals of the Board of Governors.

Goal One. The framework for the strategic plan for the state university system has been approved in concept and distributed to university presidents, university

boards of trustees chairs, legislators, and staff in the Governor's office for comment. State Board members will also be included in the review to provide comments. Mr. Garcia stated that the framework should be the same for all universities to provide consistent terminology for assessment purposes. Chancellor Austin agreed and assured the Board this was the intent of the Board of Governors.

Goal Two. Chancellor Austin reported that Goal Two relating to the establishment of a funding formula will be delayed until the university's strategic plan has been established.

Goal Three. The Board of Governors has had lengthy discussions relating to the various accountability measures. Several measures have been approved; however, ongoing discussions about how to appropriately measure student learning gains at the universities continue.

Goal Four. Chancellor Austin reported that the clarification of responsibility of the State Board of Education, Board of Governors, and University Boards of Trustees has been addressed through proposed statutory revisions. The proposed statutory revisions were based on three guiding principles. First, all changes should be consistent with the K-20 educational system. Second, the responsibilities of the Board of Governors should be identified as prescribed by the constitutional amendment. The last principle was to ensure there was no fiscal impact as a result of the proposed amendments.

Mr. Fair requested that Chancellor Austin convey to Chairperson Carolyn Roberts that the accountability system must be reflective of the fact that it is fair and that everyone is to be held to the same standards. Chancellor Austin assured Mr. Fair she would convey this message.

Community Colleges and Workforce Education Activities. Chancellor Armstrong reported on the improvement among Hispanic students in college readiness, completion of community college programs, and transfers into state universities. Chancellor Armstrong stated that gains are being made as evidenced by the data reviewed in these categories.

Chancellor Armstrong reported that President Bush's new program, Jobs for the 21st Century, would provide approximately \$250 million through community colleges nationwide to expand programs to train people for primarily in technology areas.

Chancellor Armstrong completed his report by stating that community colleges will play a major role in universal pre-k. Approximately 10,000 to 15,000 child development associates will be trained. Collaboration continues with school districts and community colleges to expand programs to provide this training.

K-12 Activities. Chancellor Warford reported on efforts made by both himself and the Commissioner to deliver the message that Florida is now leading the nation in raising student achievement. Ms. Johnson requested that the Board be updated at the next

meeting with the barriers that the Department faces in communicating the successes and initiatives of the Board.

Chancellor Warford continued his report with the following updates relating to the Assistance Plus Program and F schools.

The continuous improvement model is now being implemented in all districts in all schools throughout the state.

Majority of schools now have Reading First coaches and/or reading coaches.

There is now school-wide professional development compliance from all districts and all schools.

The single greatest area of concern is the ability of districts and schools to place high quality educators and school leaders in the classroom. Based on Chancellor Warford's research, the federal government is the largest single provider of high quality educators to low-performing schools and compensation. The Troops to Teachers program provides a \$10,000 bonus for a troop to teacher going into a low performing school. Mr. Garcia asked Chancellor Warford for the amount of resources that the state is currently spending on the 34 F schools and what would be spent if they were doing everything to be in full compliance. Chancellor Warford estimated \$25 million. Ms. Taylor asked if the Department had raised the bar of leadership in the schools and was assured by Chancellor Warford this was an important component and had been included.

Chancellor Warford completed his report by stating that one of the greatest concerns is the anti-FCAT messages that are being delivered throughout the state, specifically in Dade and Orange Counties.

Mr. Fair stated that, based on his observations, charters were being granted for charter schools that will not improve beyond an F regardless of the assistance given to them. Mr. Fair stated that these schools should not be allowed to continue to operate if there is not improvement.

Mr. Garcia stated that before the Board moves forward with raising the FCAT scores adequate information must be available to show how the resources provided have been of assistance to low performing schools.

CEPRI Update

Dr. Bill Proctor, Executive Director of CEPRI, introduced Mr. Bob McIntyre as a member of the CEPRI counsel and Vice President of the Pinellas County Education Foundation. Mr. McIntyre welcomed the Board to Pinellas County and emphasized his desire to improve vocational education programs that meet the rising needs of the workforce. Dr. Proctor provided the Board with the Adult and Career Education Recommendations approved by the Counsel. Dr. Eads stated that there are three key points to be considered when developing vocational education programs. First, high

schools should provide a usable employable skill for everyone who graduates. Second, funding must be provided to communicate to the public that documents business and education working together to communicate to families what career opportunities are available. Lastly, school districts must not use the programs as dumping grounds or deny access for students wishing to participate.

Action Agenda

Class Size Appeals. Ms. Jeanine Blomberg gave an overview of compliance by districts in reducing class sizes consistent with the Class Size Amendment. Chairman Handy stated that the Board would consider the recommendations in two motions. The first motion would be related to unexpected student growth. The second motion would relate to teachers who were hired after the initial FTE count. Dr. Eads made the motion to accept the recommendations related to unexpected student growth with a second by Ms. Taylor.

Chairman Handy recognized Mr. Joe Moore, Chief Operating Officer of Palm Beach County schools. Mr. Moore stated that Palm Beach County had used all of the categorical funding to add 558 teachers to reduce class size. Those employed were first assigned to schools with the highest poverty levels and lowest performing students to comply with the constitutional amendment goals. Mr. Moore closed by requesting that the Board take into consideration what the district had accomplished when considering transferring the identified \$630,000.

Mr. Garcia stated that he could not vote in favor of the motion as he does not believe Palm Beach County should be assessed any punitive transfer of funds as they have tried to comply. Mr. Garcia further stated that Palm Beach County had used all of its dollars to hire 558 teachers and that Palm Beach County has the highest average teacher salaries in the state at \$57,000. Mr. Handy clarified that the recommendation of the State Board is to the Legislative Budget Commission to transfer those amounts of operating money to capital outlay. Dr. Proctor inquired as to whether Palm Beach County had sufficient facilities for the teachers they added. Mr. Moore responded that they had enough space but would have a facilities problem next year when adding additional teachers. Mr. Garcia clarified that his objection to the motion to transfer the money was only applicable to Palm Beach County.

Chairman called the question on motion one which was then adopted with Mr. Garcia voting no.

The second category for consideration presented by Ms. Blomberg was that of teacher hirings after the FTE count, as well as districts who submitted corrections on the number of teachers hired. Mr. Fair made the motion to approve the recommendations with a second by Dr. Eads. Dr. Proctor requested clarification on whether the Board was asked to vote on districts that employed teachers on or after October. Chairman Handy clarified that the recommendation is based on the projected student growth by the district. If the student growth was in excess of the projections, districts may have hired teachers after October 1 to meet the

class size requirements. Chairman Handy called the question with Mr. Garcia opposed. Ms. Johnson requested clarification of the process and expressed concern that more districts could have been helped to avoid the recommendation to transfer money from operating to capital outlay. Ms. Johnson abstained from voting on the second category.

Ms. Blomberg reported that the Department of Juvenile Justice and Charter Schools were not included in the district averages, as they are individual units. Dr. Proctor requested clarification as to what the statutory language requires, and Ms. Blomberg stated that this issue is not addressed in statute. Dr. Proctor made the motion to accept the recommendation of the amount to be transferred by the Legislative Budget Commission with a second by Mr. Fair. Mr. Garcia requested that the minutes reflect that he supports the process but, because all districts are considered in a linear fashion and he does not agree Palm Beach County should be assessed \$636,000 to be transferred to capital outlay, he will vote no on all three. Ms. Johnson stated her concerns that there may have been other ways to help districts avoid being put in the position of having funds transferred to capital outlay, especially the ones that did show effort to meet the class size requirements. The motion passed with Mr. Garcia as the opposing vote.

Appleton Museum

Mr. Raymond Monteleone presented the Board with an amendment to the proposed item. Ms. Taylor made the motion which she later amended with Dr. Eads seconding and accepting the amendment to the motion. The amended motion was to delete from the resolution any references to FSU or the Governing Board, and recommend that the Commissioner approach the Legislature for supplemental funds for community colleges. The motion passed unanimously.

Amended Guidelines for Charter School Appeals

Ms. Taylor asked that we expand the section associated with the governance and management. Dr. Proctor made the motion and Dr. Eads seconded the motion. The motion passed unanimously.

UCP of Central Florida vs. the School Board of Osceola County

Mr. Olenick spoke on behalf of UCP Charter School. Mr. Larry Brown spoke on behalf of Osceola County.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Dr. Proctor. The motion passed unanimously.

Osceola County Academies of Excellence Elementary vs. the School Board of Osceola County

Mr. Doug Jackson spoke on behalf of Academies of Excellence Elementary Charter School. Mr. Larry Brown spoke on behalf of Osceola County.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Ms. Taylor. The motion passed unanimously.

Osceola County Academies of Excellence Middle vs. the School Board of Osceola County

Mr. Doug Jackson spoke on behalf of Academies of Excellence Middle Charter School. Mr. Larry Brown spoke on behalf of Osceola County.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Ms. Taylor. The motion passed unanimously.

Berkley Accelerated Middle School vs. the School Board of Polk County

Mr. Mike Olenick spoke on behalf of Berkley Accelerated Middle School. Mr. Wes Bridges spoke on behalf of Polk County School Board.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Ms. Taylor. The motion passed unanimously.

UCP of Central Florida vs. the School Board of Volusia County

Mr. Mike Olenick spoke on behalf of UCP Charter School. Mr. Ted Doren spoke on behalf of Volusia County School Board.

Mr. Fair made the motion to reject the recommendation of the Charter School Appeals Commission with a second by Mr. Garcia. The motion passed unanimously.

Four Towns Middle School vs. the School Board of Volusia County

Mr. Jackson spoke on behalf of Four Towns Middle School. Mr. Ted Doren spoke on behalf of Volusia County School Board.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Dr. Eads. The motion passed unanimously.

Oasis Language Academy vs. the School Board of Orange County

Mr. Wes Bridges spoke on behalf of Oasis Language Academy. Mr. Mike Olenick spoke on behalf of Orange County School Board.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Ms. Johnson. The motion passed unanimously.

Oakwood Academy vs. School Board of Brevard County

Mr. Mike Olenick spoke on behalf of Oakwood Academy. Mr. Harold Bistline spoke on behalf of Brevard County School Board.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Ms. Johnson. The motion passed unanimously.

UCP of Central Florida vs. the School Board of Brevard County

Ms. Ilene Wilkins spoke on behalf of UCP. Mr. Harold Bistline spoke on behalf of Brevard County School Board.

Mr. Fair made the motion to accept the recommendation of the Charter School Appeals Commission with a second by Dr. Proctor. The motion passed unanimously.

Consent Items

Dr. Proctor moved that items 1-5 of the consent agenda be approved with a second by Mr. Fair. The motion passed unanimously with no discussion.

Mr. Garcia moved that item 6 of the consent agenda be approved with a second by Dr. Eads. The motion passed unanimously with no discussion.

Mr. Fair moved that items 7-9 of the consent agenda be approved with a second by Ms. Taylor. The motion passed unanimously with no discussion

Adjournment

Chairman Handy stated that the next Board meeting will be held on March 16, 2004, in Tallahassee, Florida. Mr. Garcia would like to have a workshop on the Strategic Communications plan. Having no further business, Chairman Handy adjourned the meeting of the State Board of Education.

F. Philip Handy, Chairman

Lynn Abbott, Corporate Secretary