

MINUTES
STATE BOARD OF EDUCATION
DEPARTMENT OF EDUCATION
TALLAHASSEE, FLORIDA
MARCH 16, 2004

Chairman F. Philip Handy convened the meeting of the State Board of Education at the Florida Department of Education, Tallahassee, Florida, at 8:41 a.m., March 16, 2004, with the following members present: Linda J. Eads; T. Willard Fair, Vice Chairman; Charles P. García; William L. Proctor; and Linda K. Taylor. Julia Johnson joined the meeting upon arrival.

Welcome

Chairman Handy welcomed the members and participants and began with the pledge of allegiance.

Chairman's Report

Chairman Handy announced that Blue Cross Blue Shield had contributed \$2.5 million to the Foundation for Florida's Community Colleges to be used for student scholarships in nursing and allied health. In addition to tripling the size of the community college foundation, it adds to the roughly \$8 million Blue Cross Blue Shield has donated in gifts over the last several years to private universities and public universities to enhance nursing programs. Mr. Russ Jollivette from Blue Cross Blue Shield was recognized by the Board.

Educational Facilities Task Force. Chairman Handy announced that the task force has been extended through September of this year.

Chairman Handy concluded his report with a call for a motion on the minutes of the February 17, 2004, State Board Meeting. Vice Chairman Fair made the motion to approve the minutes with a second by Mrs. Taylor. The motion passed unanimously.

Commissioner's Report.

Recognition. Commissioner Horne recognized the Bureau of Teacher Certification in the Department of Education for its recent success in improving the efficiency and effectiveness of the teacher certification process. He informed the Board that the Bureau had recently won the Region I Council Sterling Award and would be competing for the Big Bend Award.

Just Read Florida! Mary Laura Openshaw updated the Board activities of the Florida Center for Reading Research (FCRR) created in January 2002 by Governor Bush. Ms. Openshaw reported that FCRR is the only institution to her knowledge that assists educators, reading coaches, teachers, principals, and district staff by reviewing reading programs currently available. The team of reviewers is comprised of former

classroom teachers who have taught at the classroom level, as well as the university level, and have experience in developing reading curriculum.

Personnel Update. Commissioner Horne announced the appointment of Arlene DiBenigno as the External Affairs Director and Paula Shea as the Director of Governmental Relations.

VUPK Activities. Commissioner Horne reported that a cross-agency committee has been formed to serve as a steering committee to work on implementation issues, including capacity, credentialing requirements, and governance. Commissioner Horne stated that the proposed VUPK legislation remains a high priority of the Department, and he will continue to keep the Board updated on the progress.

Outreach Activities. Mr. Fred Mattingly, Deputy Commissioner for Resource Development and Planning, updated the Board on the progress of the Department in communication and outreach.

The Department has developed two strategies to facilitate the outreach activities -- external programs targeting students, teachers, parents, administrators, strategic alliance partners, and the public at large, and internal programs targeting stakeholders within the Department.

External Programs --The first statewide radio network program with Clear Channel Communications will begin at the end of April and will reach approximately two million adults on a weekly basis. Funding for the radio spots will be provided by the Florida Lottery. In addition, Mr. Mattingly stated that the Department is pursuing a companion statewide television program to reach stakeholders as well.

The Florida Education Foundation will be re-established and will meet in April.

A marketing partnership has been negotiated with Coca Cola of Florida to promote Just Read, Florida! and FACTS.Org.

Burdines-Macys has agreed to expand the Teacher of the Year Program to include serving as a marketing supporter of Families Building Better Readers, Just Read, Florida!, and an extensive teacher recruitment program.

Internal Programs – a Legislative Information Handbook is being developed for employees, as well as legislators and staff.

A new internal employee newsletter has been developed to keep employees aware of current initiatives and events within the Department.

The first Black History Month Exhibit was displayed in the Department through February. This exhibit was a cooperative effort which included Florida A & M, the Florida Museum, and the Department of State. This exhibit will be taken throughout Florida beginning with Capitol for a Day.

Revenue Estimating Conference. Commissioner Horne reported that it was announced at the recent Revenue Estimating Conference that there will be revenue not previously anticipated. Commissioner Horne stated that this additional revenue will be one-time, nonrecurring dollars.

Conclusion. Commissioner Horne completed his report with an update on U.S. Secretary Page's announcement on the changes relating to highly-qualified teachers. The timeline will be extended for rural teachers to be in compliance by allowing for one additional year. For science, a general application, rather than specific requirements, will be utilized for determining compliance in chemistry, biology and other specific sciences. The third change will include more time for compliance for teachers who teach a multitude of subjects will be granted.

Mr. Garcia requested confirmation from Commissioner Horne that the first legislative priority was scholarship program accountability. Commissioner Horne confirmed that this was the first priority. Mr. Garcia stated that he had been made aware of an employee who was recently terminated and asked for clarification as to who made this decision. Commissioner Horne stated that, as a part of normal operations, personnel changes continue to be made and that he takes this process very seriously.

Vice Chairman Fair made the motion to approve the Commissioner's report with a second by Mrs. Taylor. The motion passed unanimously.

Reports/Updates

State University System Activities. Chancellor Austin reported that there was going to be a Medical Workshop prior to the next Board of Governors meeting. Chancellor Austin stated that a discussion on the strategic plan will be included as part of the meeting and asked the Board members if they had any comments they would like to have brought forward at the meeting. Mrs. Taylor asked how the strategic plan was going to relate to grades K-12. Mr. Garcia expressed concerns about the focus on reading at the university level. Chancellor Austin reassured both Mrs. Taylor and Mr. Garcia that their topics would be discussed at the Board of Governors meeting, and she would report back to the State Board at its next meeting. Chancellor Austin brought to the attention of the Board the letter from the Governor to the University Board of Trustees and the Board of Governors which focused on the institutions in Florida and their progress in the K-20 seamless system. Lastly, Chancellor Austin stated that she would have a clarification of the duties of the Board of Governors and the Boards of Trustees at the next State Board of Education meeting.

Community Colleges and Workforce Education Activities. Chancellor Armstrong again recognized Russ Jollivette, representing Blue Cross/Blue Shield of Florida, for its donation of 2.5 million dollars to further nursing education in the state's 28 community colleges. Chancellor Armstrong reported that community colleges produce 67 percent of the nurses in the state. Chancellor Armstrong updated the Board on the progress of students in dual enrollment programs. He reported that of the 55 percent of students who are enrolled in at least one dual enrollment course, 64 percent of them continue in

a higher education program within the public institutions; 69 percent of African American and Hispanic students who took at least one dual enrollment course continued at a Florida public institution as well.

K-12 Activities. Chancellor Warford announced that the final phase of the K-12 reorganization is complete. This reorganization was intended to align the bureaus and their personnel with the role of improved reading performance at all levels. He completed his report with an update on the statewide middle school reform initiative which emphasizes the continued focus at the middle school level on every child reading at grade level.

CEPRI Update Dr. Bill Proctor, Executive Director of CEPRI, reported on Senate Bill 158, sponsored by Senator Carlton, which implements recommendations relative to the funding of career education.

Paul Senft. Mr. Senft, as past president of the Commission on Independent Education, presented a brief overview of the Commission, including the duties and accomplishments.

Action Agenda

Strategic Planning Update. Mr. Bob Seemer presented an overview of the current strategic plan and recent progress. Mr. Seemer stated that during the last year the Department has analyzed over 250 processes in great detail to determine success and where attention should be focused. Commissioner Horne recommended that imperatives two (applying existing academic standards consistently at all levels) and five (setting and aligning academic standards at every level of the K-20 system) be consolidated. Commissioner Horne then recommended that an imperative pertaining to improving the quantity and increasing the quality of educational items be added to the strategic plan. Mr. Garcia stated that he would like to see success measures for the strategic imperatives, so each strategic imperative has three, four, or five clear measures with good data so the data can be tracked. Vice Chairman Fair made the motion to approve the changes in the Strategic Plan with a second by Dr. Eads. The motion passed unanimously.

Proposed Rules -- Items 2-13

- Proposed Amendment to Rule 6A-6.030191, Development of Educational Plans for Exceptional Students Who Are Gifted
- Proposed Amendment to Rule 6A-6.03020, Specially Designed Instruction for Students Who Are Homebound or Hospitalized
- Proposed Amendment to Rule 6A-6.03028, Development of Individual Educational Plans for Students with Disabilities
- Proposed Amendment to Rule 6A-6.030281, Development of Services Plans for Students with Disabilities Enrolled in Private School by their Parents and Provided with Specially Designed Instruction and Related Services by the Local School Board.
- Proposed Amendment to Rule 6A-6.03029, Development of Family Support Plans for Children with Disabilities Ages Birth through Five Years

Proposed Amendment to Rule 6A-6.03032, Procedural Safeguards for Children with Disabilities Ages Birth through Two Years
Proposed Amendment to Rule 6A-6.0331, Identification and Determination of Eligibility of Exceptional Students for Specially Designed Instruction
Proposed Amendment to Rule 6A-6.03311, Procedural Safeguards for Students with Disabilities
Proposed Amendment to Rule 6A-6.03312, Discipline Procedures for Students with Disabilities
Proposed Amendment to Rule 6A-6.03313, Procedural Safeguards for Exceptional Students Who Are Gifted
Proposed Amendment to Rule 6A-6.03314, Procedural Safeguards for Students with Disabilities Enrolled in Private Schools by Their Parents
Proposed Amendment to Rule 6A-6.03411, Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students

Shan Goff, K-12 Deputy Chancellor for Student Achievement, provided an overview of the students affected by the proposed rule. She clarified that Exceptional Student Education includes kids with disabilities ages 3 through 21 and children who are gifted in grades K through 12. Ms. Goff also clarified that while many of the requirements in the rules are also federal requirements, the requirements relating to gifted students are not included in federal requirements, but are an indication of the state's continued commitment of quality services and standards for students in gifted programs. Ms. Goff further stated that the proposed rules are the culmination of multiple meetings and workshops with stakeholders throughout Florida, as well as consideration of more than 200 written comments submitted to the Bureau.

The following presented testimony to the Board relating to the rules: Lisa Donovan, parent of an ESE student, Gene Cash, Florida Association of School Psychologists; Debee Tanzer, Vice President of Educational Services, Florida Association of Pathologists, and ESE Coordinator of FLASHA; Rosemary Palmer, parent/foster parent of ESE students; Tom DeMonbrun, Florida Gifted Network and Coalition for Exceptional Students; Marianne Ferlazzo, parent of an ESE student; Terry Wilson, Florida Gifted Network; Joan Hinden, parent of an ESE student/educator, Sylvia Smith, Coalition for the Education of Individuals with Developmental Disabilities, Family Network on Disabilities of Florida, and Advocacy Center Persons with Disabilities; Joseph Jackson, Executive Director of Psychological Services, Miami-Dade Public School District; Penny Collins, Director, Exceptional Student Education, Osceola County School District; Franklin Harrison, School Board Attorney, Bay County School District; and Larry Keough, Florida Catholic Conference.

After a lengthy discussion, Dr. Proctor made the motion to adopt items 2, 4, and 13 as amended with a second by Dr. Eads. The motion passed unanimously.

Dr. Proctor made the motion to adopt the remaining rules as presented with second by Vice Chairman Fair. The motion passed unanimously.

Chairman Handy directed staff to work on behalf of the Board, with the advocates and to remain sensitive to their concerns and continue to be inclusive in the implementation of the rules. Mr. Fair stated that he shared Chairman Handy's concerns. Mr. Garcia requested that a task force be formed of all the different constituencies affected by the rules and a workshop be conducted for the Board in a year to report on the operation of the rules. Commissioner Horne assured the Board that he would continue to work with the advocacy groups and stakeholders to ensure needs are met. Dr. Eads thanked the parents and professionals for speaking at the meeting and relaying their concerns.

Charter School Appeals

MACH Charter Academy of Orange County vs. the School Board of Orange County was withdrawn from the agenda at the request of the Applicant.

The Progressive Ranch School vs. the School Board of Sarasota County. Mari Jean Melissa spoke on behalf of The Progressive Ranch School. Bill Storms spoke on behalf of Sarasota County School Board. Mr. Fair made the motion with a second by Mrs. Taylor to accept the decision of the Charter School Appeal Commission to support the school board. The motion passed unanimously.

Flagler Academies of Excellence Middle School vs. the School Board of Flagler County. Douglas Jackson spoke on behalf of Flagler Academies of Excellence Middle School. Mike Chiumento spoke on behalf of the Flagler County School Board. Mr. Fair made the motion with a second by Ms. Johnson to accept the decision of the Charter School Appeal Commission to support the school board. The motion failed with Mr. Garcia, Vice Chairman Fair, and Dr. Eads voting no.

Flagler Academies of Excellence Elementary School vs. the School Board of Flagler County. Douglas Jackson spoke on behalf of Flagler Academies of Excellence Elementary School. Mike Chiumento spoke on behalf of the Flagler County School Board. Ms. Johnson made the motion with a second by Mrs. Taylor to accept the decision of the Charter School Appeal Commission to support the school board. The motion failed with Mr. Garcia, Vice Chairman Fair, and Dr. Eads voting no.

Consent Items

Vice Chairman Fair made the motion to approve items 1-6 of the Consent Agenda with a second by Dr. Eads. The motion passed unanimously.

Adjournment

Chairman Handy stated that the next Board meeting will be held on April 20, 2004, in Tallahassee, Florida. Having no further business, Chairman Handy adjourned the meeting of the State Board of Education.

F. Philip Handy, Chairman

Lynn Abbott, Corporate Secretary