

MINUTES
STATE BOARD OF EDUCATION
DEPARTMENT OF EDUCATION
TALLAHASSEE, FLORIDA
May 18, 2004

Chairman F. Philip Handy convened the meeting of the State Board of Education in the Capitol, in Tallahassee, Florida, at 9:00 a.m., May 18, 2004, with the following members present: Linda J. Eads; T. Willard Fair, Vice Chairman; Charles P. Garcia; Julia Johnson; William L. Proctor; and Linda K. Taylor.

Welcome

Chairman Handy welcomed the members and participants. Upon asking for comments, Mrs. Taylor commended the Department's staff for their involvement and success with the 2004 legislative agenda. There were no other comments.

Chairman's Report

Chairman Handy reported that the next State Board of Education meeting will be held on June 15, 2004, and that school grades will also be released on that date. Chairman Handy stated that there may be schools which receive a grade of FFF and requested that the Commissioner bring to the June Board meeting a plan of action for the Board to consider should there be FFF schools.

Chairman Handy concluded his report with a call for a motion on the minutes of the April 20, 2004, State Board meeting. Mr. Fair made the motion to approve the minutes with a second by Mrs. Taylor. The motion passed unanimously.

Commissioner's Report and Sector Updates

Recognition The Commissioner recognized Deputy Marvin Foran for his service as a school resource officer at Godby High School in Leon County.

Activities The Commissioner reported that he and Chairman Handy had attended the Commissioner's Business Recognition Awards Ceremony which was attended by over 1000 people. The purpose of the ceremony was to recognize businesses which had made contributions in various ways to the school districts. Commissioner Horne continued his report on his attendance, as a panelist on teacher quality, at the Milken Educator Awards event in Washington, D.C. He stated that Florida leads the nation in building a new teacher pay plan. This past year the Department's pilot project was funded at \$25 million, distributed to more than 500 schools and affecting approximately 38,000 teachers and a half million students. The Commissioner completed his report on his current activities by stating that he had the opportunity to speak with the Florida Council of 100, in Washington, D.C., and the Ventura Marketing Council.

Just Read, Florida! Mary Laura Openshaw, Director, Just Read, Florida!, presented the results of a study conducted by the Florida Center for Reading Research relating to the Florida Comprehensive Assessment Test (FCAT). Mr. Garcia stated that he understood that to improve fluency, children should read aloud for 20 minutes a day and asked what strategy was being implemented to encourage this practice. Ms. Openshaw reported that two of the eight strategies currently taught to improve reading relate to fluency. She further stated that the Families

Building Better Readers workshops were specifically targeting third grade struggling readers. Mrs. Taylor requested information about middle school reading and the related research. Ms. Openshaw responded that the research is ongoing and the effort is to maintain the focus on scientifically-based reading research as well as the environment of the middle school.

Strategic Planning Chief of Staff John Winn and Theresa Klebacha, Director of Independent Education and Parent Choice, reported on the Strategic Imperative, Quality of Education Options. Dr. Klebacha reported that new procedures and training have been put in place to ensure that the Department can appropriately monitor and provide feedback and technical assistance to schools participating in the choice programs. A sworn compliance form will be accessible through the Department's website to schools participating in the scholarship programs.

FCAT Commissioner Horne reported that the recent FCAT results show that 70% of fourth graders are at or above grade level, an increase of over 46% from a few years ago. It appears that eighth graders, however, have decreased in the percentage at or above grade level, which indicates the need to focus on middle school reform.

Private School Accountability Dr. Klebacha reported to the Board on the progress relating to the Private School Accountability Programs. She stated that the four goals are to eradicate waste, fraud, and abuse; implement a comprehensive parent and consumer education plan; to partner with industry as the private providers for scholarship funding organizations and home school providers, as well as other constituencies associated with the scholarship programs to help self-regulate the industry, and, lastly, to establish accountability mechanisms.

Dr. Proctor inquired as to the procedures the Department may be implementing to detect abuse or fraud among schools receiving scholarship dollars. Dr. Klebacha responded that there are new mechanisms in place including cross-checking the enrollment of students. Dr. Proctor requested that the Board be kept informed as this has been an issue.

Dr. Eads requested information about the communication strategies for parents who have children either in the scholarship programs or charter schools. Dr. Klebacha responded that the different initiatives in the Department are being consolidated which will include on-line communication, direct contact with parents, the Choice hotline, letters to parents, and visits to workshops where parent groups and associations are meeting.

Mr. Fair requested that the Department of Financial Services be kept aware of the progress the Department is making in this area because of previous audit criticisms. Chairman Handy replied that he has responded to Chief Financial Officer Tom Gallagher's concerns and had not received additional correspondence.

Dr. Proctor made a motion to approve the Commissioner's report which was seconded by Dr. Linda Eads. The motion passed unanimously.

Reports/Updates

Legislative Update Paula Shea, Director of Governmental Relations, presented a brief overview of the education bills adopted by the Legislature to be presented to the Governor. The bills included the passage of the teacher quality bill, the middle grades reform, accelerated mechanisms, and the College Board Partnership, as well as the Voluntary Pre-K bill.

Ms. Shea reported that the Senate version of the Early Pre-K bill which passed provides that every child who is four years old by September 1st is eligible to participate. The program will be a 3 hour duration each day during regular year-long programs and is added to the summer program which includes 300 hours. The Board had a lengthy discussion concerning the funding, staffing, and requirements of the bill as passed and the feasibility of the Department and school districts being able to implement the program. Dr. Proctor inquired as to whether the Department would be able to meet the timelines and responsibilities set forth in the bills if approved. The Commissioner assured Dr. Proctor that the Department was currently reviewing the mandated legislative timelines and responsibilities and would be responsive to them. Mr. Garcia made the motion that the Board not endorse the Pre-K bill in its present form because it is inconsistent with the proposal the Board endorsed and submitted to the Legislature for a high-quality pre-k program for all children. Mr. Fair seconded the motion. Motion passed unanimously.

Appropriation Bill. Mr. Ray Monteleone, Chief Financial Officer, gave a brief presentation on the status of the approved appropriation bill with the reminder that the bill would be presented to the Governor for review and some items could be vetoed. State funding included 15.9 billion dollars, general revenue, lottery, and other trust funds appropriated for education. Mr. Monteleone will provide additional information when the bill has been signed by the Governor.

State University System Activities Dr. R.E. LeMon updated the board on activities of the Board of Governors including the recently approved accountability measures. With the exception of two measures, the Board's action was consistent with the accountability measures of the State Board of Education. The two differing measures relate to the success of graduating students and measuring what students learn in specific degree programs at postsecondary institutions.

Community College and Workforce Education Activities Chancellor David Armstrong reported to the Board on bills affecting the community colleges and workforce education, including the teacher education initiative bill. He reported that the teacher education bill authorized all institutions to provide alternative certification programs, such programs are to be approved by the Department of Education. Chancellor Armstrong completed his report by stating that the 2004 Legislative Session was a very successful one for community colleges and workforce education.

K-12 Activities Chancellor Jim Warford presented to the Board an overview of Florida's system of accountability and the implementation of No Child Left Behind (NCLB). Chancellor Warford reported to the Board that there is a strong commitment to ensuring that parents of low performing schools are given meaningful choice options both to comply with the No Child Left Behind requirements and Florida's system of accountability. Chancellor Warford referred to the Public School Choice, Voluntary Choice Programs, Open Enrollment, Charter Schools, Corporate Tax Scholarships, Opportunity Scholarships, and the McKay Scholarships as programs that currently provide a variety of choices for parents and students. Chancellor Warford completed his report with an overview of the strategies for providing assistance to school districts and to ensure that parents are made aware of the options they may choose if their child is in a low-performing school.

CEPRI Projects. Dr. Bill Proctor, Executive Director, provided updates on projects in which CEPRI is involved as a result of recent legislation. The projects include evaluating the need for new apprentice and other career education programs by region in Florida; evaluating the cost efficiency of districts buying used textbooks, and CEPRI's involvement with the Florida Chamber in reviewing options for students to advance by either joining the workforce or continuing their education. Chairman Handy requested that CEPRI include in future projects a review of the curriculum and expectations of middle schools since there is a significant drop in

achievement scores between the 4th and 8th grades. Dr. Eads stated that there has been significant research in this area and that all of the research should be considered in the review to be completed by CEPRI. Dr. Proctor completed his report by stating that the next CEPRI meeting will be held on June 8th and 9th in Tampa.

Action Items

Kreative Kids Youth Foundation vs. the School Board of Duval County. Dennis Blackburn represented the Kreative Kids Youth Foundation. LaShonda Dawkins represented the Duval County School Board. Mr. Fair made the motion with a second by Ms. Johnson not to accept the recommendation of the charter school appeal commission to reject the decision of the Duval County School Board. The motion passed with Mrs. Taylor voting no.

Sunshine Academy for Positive Learning vs. the School Board of Orange County. A representative for Sunshine Academy for Positive Learning was not present. Attorney Mike Olenick represented Orange County School Board. Mr. Fair made the motion with a second by Ms. Johnson to accept the recommendation of the charter school commission to accept the decision of the Orange County School Board. The motion passed unanimously.

Discussion

Chairman Handy opened discussion relating to the charter school appeal process. Dr. Proctor stated that an agreement must be reached as to the level of procedural error that can be tolerated if no harm has been caused. Mr. Fair stated that the law was clear as to the process and should a school board choose not to follow the law, there should be penalties. Dr. Eads expressed strong concern that procedural errors by the school board places the Board in the position of having to vote based on procedure rather than the merits of the school itself. Mrs. Taylor requested that the Commissioner review the current guidelines for the charter school appeal process and make recommendations for changes if warranted.

Consent Items

Mrs. Taylor made the motion to approve items 1-4 with a second by Ms. Johnson. The motion passed unanimously.

Adjournment

Chairman Handy stated that the next Board meeting will be held June 15, 2004, in Miami. The meeting in August will focus on the budget and will be held in Tallahassee. Having no further business, Chairman Handy adjourned the meeting of the State Board of Education.

F. Philip Handy, Chairman

Lynn Abbott, Corporate Secretary