

MINUTES  
STATE BOARD OF EDUCATION  
DEPARTMENT OF EDUCATION  
TALLAHASSEE, FLORIDA  
February 15, 2005

Chairman F. Philip Handy convened the meeting of the State Board of Education at the Capitol, in the Cabinet Meeting Room, in Tallahassee, Florida, at 11:00 a.m., February 15, 2005, with the following members present: Donna G. Callaway; T. Willard Fair, Vice Chairman; Roberto Martínez; Phoebe Raulerson; and Linda K. Taylor. Julia Johnson was not in attendance.

**Welcome**

Chairman Handy welcomed the members and audience to the meeting of the State Board.

**Member Comments**

Board members expressed their appreciation for the workshop held earlier on Producing Highly Effective Teachers. The Board agreed that the workshop was extremely informative and provided a solid basis for moving forward to address the issues related to recruiting, retaining, and compensating effective teachers.

**Chairman's Report**

Chairman Handy reported that the Governor had proposed a Joint Resolution to amend Section 1 of Article IX of the State Constitution, relating to public education, amending the class-size requirements for students in grades pre-kindergarten through 12, and prescribing minimum salary standards for public school teachers. Chairman Handy called for a motion for the Board to amend its legislative budget to adopt the Joint Resolution. Mr. Martinez made the motion with a second by Mrs. Raulerson. The motion passed unanimously.

**Commissioner's Evaluation.** Chairman Handy requested that a motion be made to accept the strategic plan, evaluation criteria, and timetable, as previously submitted, to be used for the Commissioner's evaluation. Mrs. Raulerson made the motion with a second by Mrs. Taylor. The motion passed unanimously. Mrs. Taylor stated that the plan and criteria used for this evaluation will hold the Board accountable, as well as the Commissioner.

Chairman Handy reported that he had addressed the Council of Community College Presidents and urged them to work with the State Board in addressing the growing need for accessibility to baccalaureate programs and the role of community colleges in providing this access.

Chairman Handy reported that he was appointed by the President to serve on the National Board of Education Sciences in Washington, DC. Chairman Handy stated that this appointment will benefit the Board, as well as the state, in that direct access to the scientific research and conclusions will aid the Board in adopting policy and providing direction.

Chairman Handy concluded his report with a call for a motion on the minutes of the January 18, 2005, State Board of Education meeting. Vice Chairman Fair made the motion with a second by Mr. Martínez. The motion passed unanimously.

## **Commissioner's Report**

Commissioner Winn recognized the first graduates of the Commissioner's Leadership Class and reported that participants were nominated by their supervisors and chosen based on their performance and potential.

Daniel Woodring, Executive Deputy Commissioner and Legal Counsel, gave a brief overview of two recent rulings by the First District Court of Appeals involving the Department. The first ruling was on the constitutionality of Florida's school recognition program in which the Court ruled the program was constitutional. The second ruling was on the challenge to the confidentiality of teachers' social security numbers. The Court ruled that the Department was correct in that the database for teachers' social security numbers is a federally protected database and that the federal protection would preempt any potential state law access to the database.

Commissioner Winn completed his report with an overview of his visit to the Florida School for the Deaf and the Blind and his participation in a table top exercise as part of the Governor's continuing initiative to ensure that agencies are collaborating and prepared in time of emergency.

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

## **ACTION ITEMS**

The Ranch Charter School vs. the School Board of Sarasota County – Ms. Lisa Arndt and Ms. Mari Jean Melissa represented the Ranch Charter School. Superintendent Norris represented the Sarasota School Board. Vice Chairman Fair made the motion to accept the Charter School Appeal Commission's recommendation to deny Sarasota County School Board's decision with a second by Mrs. Taylor. The motion failed with an affirmative vote by Vice Chairman Fair.

Academies of Excellence High School vs. School Board of Flagler County – Ms. Kathleen Schoenberg, Attorney, represented the Academies of Excellence High School. Mr. William Bosh, Attorney, represented Flagler County School Board. Vice Chairman Fair made the motion to accept the Charter School Appeal Commission's recommendation to grant the charter school with a second by Mrs. Taylor. The motion passed unanimously.

Academies of Excellence Middle School vs. School Board of Volusia County – Ms. Kathleen Schoenberg, Attorney, represented the Academies of Excellence Middle School. Mr. Ted Doran, Attorney, represented Volusia County School Board. Vice Chairman Fair made the motion to accept the Charter School Appeal Commission's recommendation to deny the charter school with a second by Mrs. Callaway. The motion passed unanimously.

Academies of Excellence Elementary School vs. School Board of Volusia County – Ms. Kathleen Schoenberg, Attorney, represented the Academies of Excellence Elementary School. Mr. Ted Doran, Attorney, represented Volusia County School Board. Vice Chairman Fair made the motion to accept the Charter School Appeal Commission's recommendation to deny the charter school with a second by Mrs. Taylor. The motion passed unanimously.

Life Skills Center Polk County, Inc. vs. School Board of Polk County – Mr. Michael Olenick, Attorney, represented Life Skills Center Polk County, Inc. Mr. Wesley Bridges, Attorney,

represented Polk County School Board. Vice Chairman Fair made the motion to accept the Charter School Appeal Commission's recommendation to grant the charter school with a second by Mrs. Taylor. The motion passed unanimously.

2005 District Class Size Transfer Calculation -- Jeanine Blomberg, Deputy Commissioner for Finance and Operations, reported that 56 school districts are in compliance with the class size mandates. The calculation for the districts not in compliance totaled \$1,076,000 to be transferred from operating funds to capital outlay. Vice Chairman Fair made the motion to recommend the transfer to the Legislative Budget Commission with a second by Mrs. Raulerson. The motion passed unanimously.

### **Consent Items**

Chairman Handy brought to the attention of the Board the addition of Item 10, Adoption of Resolutions Authorizing the Issuance and Sale of Not Exceeding \$430,000,000 State of Florida, Full Faith and Credit, State Board of Education Public Education Capital Outlay Refunding Bonds, 2005 Series [to be determined], in the consent agenda. Mrs. Callaway made the motion to approve items 1 through 10 with a second by Vice Chairman Fair. The motion passed unanimously.

### **Policies Issues for Concurrence**

Good Cause Promotion – Review of Existing Practice, Relevant Data, and the Standards and Measures to be Utilized When Determining Good Cause -- Ms. Mary Laura Openshaw, Director of Just Read, Florida!, provided an overview of current data relating to good cause promotions. Ms. Openshaw provided the following recommendations for the Board's consideration: Status exemptions should be used as a last resort; every child scoring Level 1 needs opportunity for summer camp, alternative assessment and/or portfolio; parents should sign a form indicating they were offered these opportunities; and those promoted through good cause should receive an intensive acceleration class in 4th grade. The concurrence of the Board was to carry forward the recommendations in context in proposed legislation relating to social promotion.

### **Requested Reports, Updates, and Discussions**

Update on Commissioner's Secondary Reading Advisory Panel-Mary Laura Openshaw reported that the reading advisory panel met for the first time on January 24, 2005, and will meet again on March 28, 2005. A complete report will be provided after the March 28 meeting of the Panel.

#### **Status Report on Progress of School Districts in Meeting Assistance Plus Requirements**

Chancellor Jim Warford, K-12 Public Schools, reported that while all districts have met the requirements of the Assistance Plus Plan approved by the Board, there are concerns relating to the variances in the plans submitted by the school districts. Chancellor Warford stated that staff in the Bureau of School Improvement is closely monitoring student progress and the implementation of the plans. Chairman Handy stated that the position of the Board in October 2004 was to institute a process for requiring school boards that did not show adequate progress to proceed with issuing a request for a proposal to allow for a management company, university, or other entity to assume the responsibility of managing the school. Vice Chairman Fair made the motion to move forward with the development of a Request for Information (RFI) should there be schools which do not show significant improvement in learning gains of students. Mrs. Taylor seconded the motion which passed unanimously.

Update on VPK Implementation -- Shan Goff, Director of Early Learning, provided an overview of the activities relating to the implementation of the Voluntary Pre-Kindergarten (VPK) Program including the strategies for communicating with parents and possible providers. Ms. Goff reported that a panel of experts has been identified to review current standards/expectations for four-year-olds and identify areas for recommended revisions and will meet on February 17-18, 2005. Recommendations of the panel will be provided at the March 15, 2005, State Board meeting.

Community College System Strategic Plan -- Dr. Bill Law, President of Tallahassee Community College, and Chair of the Community College Strategic Planning Task Force, reported on the strategic planning process and current initiatives. Dr. Law stated that currently the Task Force was reviewing not only geographical access to community college programs but financial access as well. In addition, efforts are being directed to address the need for highly effective teachers and creating Educator Preparation Institutes at the community colleges. Dr. Law completed his report by updating the Board on the development of the community college strategic plan and the correlation to the State Board of Education Strategic Plan.

Jobs for Florida's Future School District and Community College Postsecondary Grant Submissions -- Chancellor Armstrong, Community Colleges, provided the Board with a summary of the proposals received from school districts and community colleges in the critical areas of nursing and allied health, technology, biosciences/biotechnology, building construction, automotive technology, homeland security, adult education, and others should the funding requested in the 2005 Legislative Budget Request approved by the State Board be allocated by the Legislature.

Update on State University System and Board of Governors Activities -- Chancellor Debra Austin, Division of Colleges and Universities, gave an overview of recent action by the Board of Governors and stated that the next meeting will be February 24, 2005, in Tallahassee. Chancellor Austin also informed the Board that Dr. Castell Bryant has been appointed as the Interim President of Florida A & M University and that the Medical School at Florida State University had earned its full accreditation.

### **Adjournment**

Chairman Handy stated that the next Board meeting will be held March 15, 2005, in Miami. Having no further business, Chairman Handy adjourned the meeting of the State Board of Education.

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F. Philip Handy, Chairman

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Lynn Abbott, Corporate Secretary