

MINUTES
STATE BOARD OF EDUCATION
Florida Department of Education
June 17, 2008
Tampa Airport Marriott
Tampa, Florida

Chairman T. Willard Fair called the meeting to order at 9:00 a.m. and welcomed members and guests to the State Board of Education meeting. The following members were present: Donna Callaway, Akshay Desai, Roberto Martinez, Phoebe Raulerson, Linda Taylor, and Kathleen Shanahan.

CHAIRMAN'S REPORT

Chairman Fair recognized Kathy Isrealson, President of Florida Public School Choice Charter Consortium, to present the Dr. Carlo Rodriguez Champion of School Choice Awards. Mary Ellen Elia, Superintendent, Hillsborough County Schools, and Carla McMullen, Choice Specialist, Polk County Schools were the recipients of this award.

Chairman Fair recognized Mrs. Taylor to provide an overview on the process for evaluating the achievements of the Commissioner for the upcoming year. The motion to accept the process as presented was made by Ms. Shanahan with a second by Mr. Martinez. The motion passed unanimously.

Chairman Fair called for a motion to approve the minutes from April 15, 2008. The motion was made by Ms. Shanahan with a second by Mrs. Taylor. The motion passed unanimously, with the exception of Mr. Martinez who abstained from voting as he was not present at the last meeting.

COMMISSIONER'S REPORT

Commissioner Smith announced that the Department had received \$33,694,684 from the United States Department of Education for the expansion of charter schools in Florida.

Commissioner Smith recognized Iris Wilson, Deputy Chancellor for Student Achievement, for an update on the status of Repeating F Schools. Mrs. Taylor stated that the executive summary was extremely helpful and requested this format be followed for future reports. Ms. Shanahan suggested sending out reports quarterly to elected officials to inform them of the status of compliance in their district and invite them to visit the schools.

Commissioner Smith reported on the FCAT results and the stunning progress in the state of Florida as reflected in the NAPE results ranking Florida as one of the top states in the nation in performance.

Commissioner Smith recognized Linda Champion, Deputy Commissioner for Finance and Operations, Dr. Frances Haithcock, Chancellor, K-12 Public Schools, and Dr. Will Holcombe, Chancellor, Division of Community Colleges, for a presentation on the budget and impact of legislation on K-12 and community colleges. Mrs. Taylor requested a breakdown of the K-12 budget with more detail by program. Ms. Shanahan requested that the Department develop trend lines for the budget similar to the trend line charts used to show progress on the FCAT. Mr. Martinez suggested each Board member champion a particular area in education that is affected by the budget.

Chairman Fair called for a motion to accept the Commissioner's Report as presented. The motion was made by Ms. Shanahan with a second by Mrs. Raulerson. The motion passed unanimously.

ACTION ITEMS

Approval of Amendment to Rule 6A-4.0021, Florida Teacher Certification Examinations

Dr. Cornelia Orr, Administrator, Office of Assessment and School Performance, presented the proposed amendment to Rule 6A-4.0021, FAC. Chairman Fair called for a motion to accept the proposed amendment to Rule 6A-4.0021, FAC., as presented. The motion was made by Mrs. Taylor with a second by Mrs. Raulerson. The motion passed unanimously.

Approval of Amendment to Rule 6A-4.00821, Florida Educational Leadership Examination

Dr. Orr presented the proposed amendment to Rule 6A-4.00821, FAC. Chairman Fair called for a motion to accept the proposed amendment to Rule 6A-4.00821, FAC., as presented. The motion was made by Mrs. Taylor with a second by Mr. Desai. The motion passed unanimously.

**Approval of Amendments to Rules Relating to Exceptional Student Education:
Rule 6A-6.03028, Provision of Free Appropriate Public Education and Development of Individual Educational Plans for Students with Disabilities.
Rule 6A-6.030281, Provision of Equitable Services to Parentally-Placed Private School Students with Disabilities
Rule 6A-6.0331, General Education Intervention Procedures, Identification, Evaluation, Reevaluation, and the Initial Provision of Exceptional Education Services
Rule 6A-6.03311, Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities
Rule 6A-6.03312, Discipline Procedures for Students with Disabilities
Rule 6A-6.03314, Procedural Safeguards for Students with Disabilities Enrolled in Private Schools by Their Parents (Repeal)
Rule 6A-6.0333, Surrogate Parents
Rule 6A-6.0334, IEPs and EPs for Transferring Exceptional Students
Rule 6A-6.03411, Definitions, ESE Policies and Procedures, and ESE Administrators**

Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, presented proposed amendments to the Rules Relating to Exceptional Student Education. Chairman Fair called for a motion to accept the proposed amendments. The motion was made by Ms. Shanahan with a second by Mrs. Callaway. The motion passed unanimously.

Approval of Amendment to Rule 6A-6.0571, Vocational and Workforce Development Standards and Industry-Driven Benchmarks and Process for Future Revisions

Loretta Costin, Vice Chancellor, Workforce Education, presented the proposed amendment to Rule 6A-6.0571. Chairman Fair called for a motion to accept the proposed amendment to Rule 6A-6.0571 as presented. The motion was made by Mrs. Raulerson with a second by Mrs. Taylor. The motion passed unanimously.

Approval of Revised Timeline for Next Generation Standards

Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, K-12 Public Schools, presented the Revised Timeline for Next Generation Standards. Chairman Fair called for a motion to accept the Revised Timeline as presented. The motion was made by Mrs. Taylor with a second by Mrs. Raulerson. The motion passed unanimously.

Approval of Budget Guidelines for Development of 09/10 Legislative Budget

Deputy Commissioner Linda Champion, presented the budget guidelines for 09/10. Mrs. Taylor requested that the guidelines be amended to include a statement indicating that resources will be aligned to priorities. Chairman Fair called for a motion to accept the Budget Guidelines as amended. The motion was made by Ms. Shanahan with a second by Mrs. Raulerson. The motion passed unanimously.

Approval of Commissioner's Recommendation on Exclusivity for School Districts to Authorize Charter Schools in their Geographical Areas

Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice, presented two recommendations on granting Exclusivity for School Districts to Authorize Charter Schools in their Geographical Areas. The first recommendation was for school districts that have charter schools and did not score 50 points on their application and did not request a hearing. The second recommendation was for districts that do not have charter schools. Chairman Fair called for a motion to deny the following school districts exclusivity to charter schools in their geographical area as they did not score 50 points or request a hearing: Bay, Citrus, Duval, Flagler, Indian River, Jackson, Lee, Levy, Manatee, Martin, Pasco, Santa Rosa, Sumter, and Volusia. The motion was made by Mrs. Taylor with a second by Mrs. Callaway. Chairman Fair called for a motion to deny the following school districts exclusivity to charter schools in their geographical area as they have no charter schools and are unable to document a history of fair and equitable treatment of charter schools: Baker, Bradford, Clay, Gilchrist, Holmes, and Suwannee. Chairman Fair clarified that the motion was consistent with the discussion and action of the Board at the September 18, 2007, State Board of Education Meeting when considering the same issue for the 2007-08 school year. The motion passed unanimously.

Charter School Appeals:

Imagine-Palm Beach County, LLC, and Imagine Schools Non-Profit, Inc. vs. School Board of Palm Beach

Chairman Fair recognized Cory Smith, Attorney, representing the School Board of Palm Beach County, and Melissa Gross Arnold, Attorney, representing Imagine-Palm Beach County, LLC, and Imagine Schools Non-Profit, Inc. Chairman Fair called for a motion to accept or reject the recommendation of the Charter School Appeal Commission. A motion to uphold the Commission's decision to grant the application of Imagine Schools was made by Ms. Shanahan with a second by Mr. Martinez. The motion passed unanimously.

Life Skills Center, Palm Springs, Inc. vs. School Board of Palm Beach

Chairman Fair recognized Andrew Kantor, Attorney, representing Life Skills, Palm Springs, Inc. and Cory Smith, Attorney, representing the School Board of Palm Beach County. Chairman Fair called for a motion to accept or reject the recommendation of the Charter School Appeal Commission. A motion to uphold the Commission's decision to deny the

application of Life Skills Center was made by Mrs. Taylor with a second by Mr. Martinez. The motion passed unanimously.

CONSENT AGENDA

Chairman Fair called for a motion to approve the Consent Agenda. The motion was made by Mrs. Taylor with a second by Mr. Martinez. The motion passed unanimously.

POLICY ISSUES FOR CONCURRENCE

Florida Alternate Assessment Performance Levels

Bambi Lockman and Dr. Cornelia Orr presented Florida Alternate Assessment Performance levels (Performance Standards). Dr. Orr reported to the Board that there were 14 different panels with about 114 participants, ranging from special education teachers, to regular education teachers, to parents, participating in the development of the achievements levels. Dr. Orr further reported that the committee will reconvene in July to evaluate how the students did in the spring.

2007-08 VPK Provider Readiness Rate Calculation

Shan Goff, Executive Director, Office of Early Learning, presented an overview of the 2007-08 VPK Provider Readiness Rate Calculation. Ms. Goff reported that the calculation was consistent with the process approved at the December 11, 2007 State Board Meeting.

UPDATES/PRESENTATIONS

Community College Update

Dr. Willis Holcombe, Chancellor, Division of Community Colleges, provided an overview of community colleges requesting new baccalaureate degrees to be considered by the Board. Dr. Holcombe stated that recommendations for approval or disapproval of the requested baccalaureate programs will be brought before the Board in January 2009.

Dr. Holcombe also provided an update on the implementation of Senate Bill 1716, State College System. Dr. Holcombe reported that the bill requires the Commissioner to chair and appoint members to a newly created task force – the Florida College System Task Force. The membership of the task force must be appointed by August 31, 2008, and be comprised of seven community college presidents, one state university president, the president of an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, the president of an institution that is licensed by the Commission for Independent Education and grants baccalaureate degrees, and one member at large. Senate Bill 1716 requires that the Task Force recommend a process for transition to state colleges, a funding model for all programs and colleges in the system, and an approval process for baccalaureate degree programs. The Bill further requires that the Task Force monitor the implementation of the State College Pilot Project. Ms. Shanahan recommended that the at large position on the Task Force be a business person who has experience in employing the students graduating from the Community Colleges.

Dr. Holcombe reported that a second portion of the Bill created the State College Pilot Project beginning with the 2008-2009 fiscal year, to include Chipola College, Daytona Beach College, Edison College, Indian River College, Miami Dade College, Okaloosa-Walton College, Polk College, Santa Fe College, and St. Petersburg College in collaboration with the Florida College System Task Force. The purpose of the pilot project is to recommend to the

Legislature an approval process for the transition of baccalaureate-degree granting community colleges to state colleges in order to meet the employment needs of Florida, criteria for the transition of institutions in the Florida College System to state colleges, and a funding model for the Florida College System. Dr. Holcombe reported that a Pilot College Group had been formed and will meet on August 20, 2008. Dr. Holcombe stated that the purpose of the Pilot College Group will be to define "state college." Ms. Shanahan stated that the Pilot College Group should not be limited to those in the Pilot Project but that experts in the field outside of Florida should be identified and invited to participate in planning the college system. Ms. Shanahan stated that the system should be established through a strategic process and with constructive dialogue in order to set standards for excellence. Ms. Shanahan requested that the Board have representation at the Pilot Project meeting on August 20 to communicate concerns of the Board and to ensure there are not parallel paths in the process. Commissioner Smith and Chancellor Holcombe assured the Board that their concerns would be presented to both the Pilot College Group and the Florida College Task Force and the Board would be kept up to date on all activities of both groups.

Standardization of High School Graduation Rates Nationwide – Where Florida Stands

Jay Pfeiffer, Deputy Commissioner for Accountability, Research and Measurement, provided an overview of U.S.DOE Secretary Margaret Spellings's uniform graduation rate proposal including a comparison of Florida's calculation, the NCLB graduation rate and the USDOE proposal. Deputy Commissioner Pfeiffer reported that Florida's regular rate includes all diploma recipients including standard and special diplomas as well as regular and adult GEDs. The NCLB graduation rate includes standard diplomas and regular GEDs but excludes the special diplomas and the adult GEDs. The USDOE proposed rate (NGA Compact) includes standard and special diplomas but excludes all GEDs, regular and adult. Deputy Commissioner Pfeiffer concluded his report with discussion of the accountability issues to be resolved including those related to students transferring out of charter schools, home schools, and private schools, as well as those transferring out of state. Other concerns related to new enrollees in schools within the state. Deputy Commissioner Pfeiffer assured the Board that as information became available he would provide updates.

Florida Schools of Excellence Commission Activities

Mr. Wade Dyke, Commission Member, Florida Schools of Excellence Commission, provided an update on the status of charter school applications and the search for a permanent executive director for the Commission.

ADJOURNMENT

Chairman Fair announced that the next State Board of Education meeting will be on August 19, 2008, in Tallahassee.

Having no further business, Chairman Fair adjourned the meeting of the State Board of Education at 12:45 p.m.

Lynn Abbott, Corporate Secretary

T. Willard Fair, Chairman