

MINUTES
STATE BOARD OF EDUCATION
Florida Department of Education
December 2, 2008
Orlando Airport Hyatt
Orlando, Florida

Chairman T. Willard Fair called the meeting to order at 8:30 a.m. and welcomed members and guests to the State Board of Education meeting. The following members were present: Akshay Desai, Roberto Martinez, Kathleen Shanahan, Linda Taylor, and Phoebe Raulerson.

CHAIRMAN'S REPORT

Chairman Fair stated that the agenda would be amended to move Action Item 6 for consideration immediately after the Chairman's Report to accommodate travel limitations of the presenter for the Division of Bond Finance, State Board of Administration.

Chairman Fair stated that Commissioner Smith had completed his first year as Commissioner of Education and requested approval to negotiate Commissioner Smith's new contract. The motion was made by Dr. Desai with a second by Mrs. Raulerson. The motion passed unanimously.

Mr. Martinez made a motion to continue Chairman Fair's tenure as Chair with a second by Mrs. Raulerson. The motion passed unanimously.

Chairman Fair called for a motion to approve the minutes from the State Board meeting of October 21, 2008. The motion was made by Dr. Desai with a second by Mr. Martinez. The motion passed unanimously.

ACTION ITEM #6

Adoption of a Resolution Authorizing the Negotiated Sale of State of Florida, Full Faith and Credit, State Board of Education Public Education Capital Outlay Bonds, 2006, 2007 and 2008 Series

Commissioner Smith recognized Ben Watkins, Director, Division of Bond Finance, to review the request for negotiated sale of public education capital outlay bonds. Mr. Watkins stated that approval of this resolution will give the Division of Bond Finance another alternative for selling bonds should the credit market remain instable for an extended period of time. At Mr. Martinez' request, Mr. Watkins stated that the underwriting syndicate approved by the Governor and Cabinet include: Merrill Lynch, Citi Group, J.P. Morgan, Bank of America, Morgan Stanley, Raymond James, Morgan Keegan, BB&T, Loop Capital Market, Siebert, Brandford, Shank and Jackson Securities. Ms. Shanahan requested assurance that the Division of Bond Finance has staff with expertise in negotiated sale of bonds as this is a different approach to be utilized by the Division. Mr. Watkins assured Ms. Shanahan that the Division did have the expertise. Mr. Watkins stated that the approval of this Resolution is consistent with the policy of the Governor and Cabinet to sell bonds competitively unless circumstances in the market warrant a deviation from that policy. Dr. Desai made a motion for approval with a second by Mrs. Taylor. The motion passed unanimously.

COMMISSIONER'S REPORT

Commissioner Smith reported that technical changes had been made in the Strategic Plan and requested approval as part of his report. Mrs. Raulerson stated that she was concerned

about the low trend projections for the percentage of students who remain enrolled in or exit with a credential after two years at a community college. Mrs. Raulerson stated that if the trend reverses the Department will need to readdress.

Commissioner Smith recognized Dr. Frances Haithcock, Chancellor, K-12 Public Schools, to report on the status of implementation of Differentiated Accountability. Chancellor Haithcock introduced the team responsible for the implementation of Differentiated Accountability: Iris Wilson, Deputy Chancellor for Student Achievement; Nikolai Vitti, Bureau Chief, School Improvement and Director, Region I; Leila Mousa, Director, Region II; Joe Burke, Director, Region III; Gale Daves, Director, Region IV; and Jeffrey Hernandez, Director, Region V. Ms. Shanahan recommended that the Department be proactive in contacting legislative education committees in order to provide information on differentiated accountability and ensure that new members of the Legislature are fully informed.

Chancellor Haithcock and Ava Byrne, Assistant Superintendent of Professional Development and Educational Services, Miami-Dade County Public Schools, provided an overview on the Design of a Monitoring and Professional Development System Around Reading in Elementary Schools. Ms. Byrne informed the Board that the model developed in Dade County analyzes trends relating to professional development needs and addresses specific school/classroom needs. Ms. Byrne reported that kindergarten students on grade level have increased from 41% to 72% during the 2007-2008 school year and special education referrals have decreased 38.6% during the 2007-2008 school year. Ms. Shanahan recommended that the Department assist with disseminating information about this system statewide.

Commissioner Smith recognized Amy Baker, Executive Director, Legislative Office of Economic and Demographic Research, for a presentation on Florida's Financial Outlook. Ms. Baker reported the State Gross Domestic Product ranked Florida 2nd in 2005 and 47th in 2007, the unemployment rate for Florida in October was 7% and the nation as a whole was 6.5%. Ms. Baker stated that normal growth rates were not expected until 2010-11 or 2011-12. Commissioner Smith reported that the Department will bring more information on the status of the districts in this economic environment at the January meeting.

Commissioner Smith recognized James Rosenberg, Founder, Executive Director, Adopt-A-Classroom, to present an overview of the Adopt-A-Classroom program. Mr. Rosenberg stated that the mission of Adopt-A-Classroom is to increase opportunities for student success by empowering teachers with community partners and a means to obtain the resources necessary to provide every child equal access to a quality education. Mr. Rosenberg stated that the program was founded in 1998 and since then has raised \$150 million on behalf of classrooms across the United States.

ACTION ITEMS

Approval of Commissioner's Recommendation on Exclusivity for School Districts to Authorize Charter Schools in their Geographical Areas – Miami Dade County School District

Commissioner Smith reported that the Department reviewed the findings of the hearing officer and reaffirms the recommendation that exclusivity be denied to Miami-Dade. Mr. Martinez made the motion with a second by Mrs. Taylor. The motion passed unanimously.

Approval of Amendment to Rule 6A-1.094221, Alternative Standardized Reading Assessment and Use of Student Portfolio for Good Cause Promotion

Chairman Fair called for a motion to approve the proposed amendment to Rule 6A-1.094221, FAC. The motion was made by Mrs. Taylor with a second by Mrs. Raulerson. The motion passed unanimously.

Approval of Amendment to Rule 6A-1.09441, Requirements for Programs and Courses Which Are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

Commissioner Smith recognized Dr. Frances Haithcock, Chancellor, K-12 Public Schools, for a summary of the proposed amendment. Chancellor Haithcock stated that the amendment was necessary to implement changes in 2008 governing statutes allowing for the inclusion of practical arts courses as those which meet graduation requirements. Chairman Fair called for a motion to approve the proposed amendment to Rule 6A-1.09441, FAC. The motion was made by Mrs. Raulerson with a second by Mrs. Taylor. The motion passed unanimously.

Consideration of Mandate from District Court of Appeal of the State of Florida, Fifth District, RE: Universal Education Services in Osceola County

Commissioner Smith clarified that approval of the Board is requested in order to comply with the 5th District Court of Appeals ruling in favor of Osceola County. Chairman Fair called for a motion. The motion was made by Mrs. Taylor with a second by Mr. Martinez. The motion passed unanimously.

Approval of Critical Teacher Shortage Areas for 2009-2010

Chairman Fair called for a motion to approve the critical teacher shortage areas for 2009-2010. The motion was made by Ms. Shanahan with a second by Mrs. Raulerson. The motion passed unanimously.

Chairman Fair recognized former Chairman of the Board Phil Handy. Mr. Handy congratulated the Board for their extraordinary work and encouraged them to continue their dedication to students and commitment to increased student achievement and success.

CONSENT AGENDA

Chairman Fair called for a motion to approve the consent agenda, items 1 - 7. The motion was made by Mrs. Taylor with a second by Mr. Martinez.

Ms. Shanahan requested assurance that consent item 6, Indian River State College – Approval to Name a Building Funded through the Community College Facility Enhancement Challenge Grant Program, was consistent with criteria for such action in the Community College Strategic Plan. Mrs. Raulerson stated that as Indian River Community College is located in her area she was very familiar with the request and recommended the Board's approval.

Mrs. Taylor recognized Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, K-12 Public Schools, her team, and the writers and framers for their work and dedication to ensure that the state will move forward with nationally recognized standards as presented in consent item 1, Amendment to Rule 6A-1.09401, Student Performance Standards.

The motion to approve the consent agenda passed unanimously.

UPDATES/PRESENTATIONS

Community College Updates -- State College Task Force, State College Pilot Project

Commissioner Smith recognized Dr. Willis Holcombe, Chancellor, Division of State Colleges, to provide a report on the State College Task Force. Dr. Holcombe informed the Board that the last scheduled Task Force meeting will be Thursday, December 4, 2008. Chancellor Holcombe stated that the draft report would be completed on December 3rd and the final report will be brought to the Board at the January meeting. Ms. Shanahan requested a copy of the draft report by December 5th and expressed her concern about the report being ready the day after the State Board of Education meeting. Mr. Martinez recommended that a meeting of the Board be conducted prior to the January 21, 2009, meeting to discuss the final report to ensure that Board members had ample opportunity to request information and discuss publicly their views. Commissioner Smith assured Mr. Martinez and the Board that he would arrange for a meeting and/or conference call as requested.

Florida Schools of Excellence Commission Activities

Ms. Liza McFadden, Chair, Florida Schools of Excellence Commission (FSEC), and Frank Attkisson, Executive Director, Florida Schools of Excellence, reported that the First District Court had determined that Section 1002.335, Florida Statutes, creating the FSEC as unconstitutional under Article IX, Section 4(b), of the Florida Constitution. Ms. McFadden stated that the authority to appeal this decision was at the discretion of the State Board. Mr. Attkisson reported that members of the Commission were developing recommendations to amend the statute and the operation of the Commission. Mr. Attkisson stated that these recommendations would be forthcoming.

ADJOURNMENT

Having no further business, Chairman Fair adjourned the meeting of the State Board of Education at 12:04 p.m.

Lynn Abbott, Corporate Secretary

T. Willard Fair, Chairman