

MINUTES
STATE BOARD OF EDUCATION

May 19, 2009
Hillsborough Community College, Dale Mabry Campus
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: Peter Boulware, Akshay Desai, John R. Padget, Linda Taylor, Kathleen Shanahan, and Roberto Martinez via conference phone.

WELCOME

Chairman Fair recognized Dr. Gwendolyn Stephenson, President, Hillsborough Community College to welcome the members of the State Board of Education.

Chairman Fair and the Board welcomed Mr. John R. Padget as the newly appointed member to the Board.

CHAIRMAN'S REPORT

Chairman Fair recognized the following School Related Employee of the Year Finalists: Jennifer Kyle, School Social Worker, Murdock Middle School and Meadow Park Elementary School, Charlotte County; Wilma Castaneda, Media Center Assistant, Abess Park Elementary School, Duval County; Susan Brenton, Food and Nutrition Manager, Treasure Coast Elementary School, Indian River County; April Dingman, Title One Paraprofessional, Callahan Elementary School, Nassau County; and Jannette Thompson-Irwin, Confidential Office Manager, Pompano Beach Middle School, Broward County. Chairman Fair announced that Jannette Thompson-Irwin is the winner of the 2009 School Related Employee of the Year.

Chairman Fair called for a motion to adopt the agenda as presented. The motion was made by Mrs. Taylor with a second by Mr. Martinez. The motion passed unanimously.

Chairman Fair called for a motion to approve the minutes from the State Board meeting of March 17, 2009. The motion was made by Mrs. Taylor with a second by Dr. Desai. The motion passed unanimously with the exception of Ms. Shanahan who abstained from voting as she was not present for the March meeting and Mr. Padget who abstained from voting as he was not a member at that time.

Chairman Fair called for a motion to approve the minutes from the Emergency State Board meeting of April 22, 2009. The motion was made by Mrs. Taylor with a second by Mr. Martinez. The motion passed unanimously with the exception of Ms. Shanahan who abstained from voting as she was not present for the April meeting and Mr. Padget who abstained from voting as he was not a member at that time.

COMMISSIONER'S REPORT

Commissioner Smith recognized Marshall M. Criser, III, AT&T Florida President, and Alan Levy, Chairman, Florida Education Foundation, for their outstanding support of education in Florida.

Commissioner Smith recognized Nikolai Vitti, Bureau Chief, School Improvement, for an update on Differentiated Accountability. Mr. Vitti reported that schools continue to implement the recommendations provided during the instructional reviews. Mr. Vitti stated

that 89 percent of F, repeating F and intervene schools improved their writing scores in fourth grade, 100 percent improved at the eighth grade level, and 44 percent improved at the tenth grade level.

Commissioner Smith recognized Dr. Frances Haithcock, Chancellor, K-12 Public Schools, for a presentation on "What's Working in Florida Schools." Chancellor Haithcock recognized nine Title I schools that exceeded state standards for making Adequate Yearly Progress (AYP) for five years, attaining a school grade of "A" in both the 2006-07 and 2007-08 school years, and having more than 68 percent economically disadvantaged students: Rock Lake Elementary in Orange County; James S. Hunt Elementary in Broward County; Muller Elementary Magnet in Hillsborough County, North Twin Lakes Elementary, EWF Stirrup Elementary, Mater Academy East Charter, Twin Lakes Elementary, Southside Elementary, and Mater Academy in Miami-Dade County. Chancellor Haithcock recognized five Title I schools for significantly closing the achievement gap for two or more years, making AYP two consecutive years, and in 2006-07 and 2007-08 earning a school grade of "A" with more than 57 percent economically disadvantaged students: Temple Terrace Elementary in Hillsborough County; Boulevard Heights Elementary in Broward County; Eastside Elementary in Polk County; Lehigh Elementary in Lee County; and Mayport Elementary in Duval County. Chancellor Haithcock recognized Terrace Community Middle School in Hillsborough County for exemplary achievement in science, being recognized as a No Child Left Behind Blue Ribbon School, receiving a grade of "A" for six years with more than 80 percent of students scoring proficient in science and Rochelle School of the Arts in Polk County for excelling in the arts and maintaining AYP in addition to their "A" status.

John Newman, Senior Advisor for Legislative Policy and Budget, and Linda Champion, Deputy Commissioner, Finance and Operations, provided an overview of the 2009/10 budget as passed by the Legislature. Ms. Shanahan recommended that school recognition dollars be used to recognize the achievement expected under Differentiated Accountability and Adequate Yearly Progress. Ms. Shanahan also requested the Department's plan including guidance for school districts for federal stimulus dollars related to using nonrecurring dollars for recurring programs. Ms. Shanahan further stated that the Department should publicly document and brief every School Board member on the shifts in funding, responsibility and authority being transferred to schools districts including the changes relating to millage, and to send continual reminders to the districts on how and where money can be saved.

Ms. Shanahan requested a quarterly report on the state supported baccalaureate programs at Community Colleges using either this year or last year as the baseline. Mr. Newman informed the Board that the Legislature appropriated \$100 for each of the new programs at Manatee Community College, Polk Community College, Santa Fe College and Seminole Community College and by doing so satisfied the statutory requirement for the program to begin. Ms. Shanahan also requested a report on how the Department will spend the 19.63 percent increase in testing and performance.

Ms. Shanahan suggested the Department send specifically tailored press releases to each district and that the information on the Department's website be updated daily. Ms. Shanahan also requested a briefing on the Department's communication plan including staffing. Dr. Desai stated that he agreed the Department should have an aggressive communications strategy and requested a timeline for a 21st Century Communication Plan. Commissioner Smith stated that a detailed report on communications will be brought to the Board at the September meeting.

Commissioner Smith stated that a full report on the Strategic Plan will be brought to the Board in the fall.

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

Mr. Martinez recognized Commissioner Smith for an excellent job in dealing with Florida issues and national issues. Mr. Martinez stated that Commissioner Smith is recognized nationally for his competence which gives Florida tremendous exposure in education as one of the leaders.

ACTION ITEMS

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

Chairman Fair stated that changes were made to Rule 6A-4.0021, Florida Teacher Certification Examinations, since it was published in the Florida Administrative Weekly. Chairman Fair called for motion to adopt the amendment to the amendment of Rule 6A-4.0021, FAC., contingent upon the passing of Senate Bill 1676 and without the inclusion of proposed paragraph (9)(s). The motion was made by Mr. Padgett with a second by Ms. Shanahan. The motion passed unanimously.

Mrs. Taylor recommended that Commissioner Smith, in collaboration with State Colleges, identify excellent teacher programs to determine which are the most effective. Mrs. Taylor requested that a report be brought back to the Board identifying the characteristics of a gold standard program and how a gold standard program could be implemented. Mrs. Taylor stated that a careful review should be conducted to determine if the State Colleges through their baccalaureate degree programs could create these gold standard programs.

Chairman Fair called for a motion to approve the proposed amendment to Rule 6A-4.0021, FAC. The motion was made by Mr. Padgett with a second by Dr. Desai. The motion passed unanimously.

Approval of New Rule 6A-6.05271, Standards for the Use of Reasonable Force to Maintain a Safe and Orderly Learning Environment

Commissioner Smith requested that Rule 6A-6.05271, Standards for the Use of Reasonable Force to Maintain a Safe and Orderly Learning Environment, be deferred to the September 15, 2009 Board meeting. Chairman Fair granted the request.

Charter School Appeal: Excel Academy Inc., on behalf of Excel Academy Charter School and Excel Academy Middle Charter School vs. Miami Dade County School Board

Chairman Fair recognized Lois S. Tepper, Esq., Commissioner's Designee as Chair, Charter School Appeal Commission, to read into the record a letter from Valerie Kennon, President of Excel Management Group, explaining the absence of representation for Excel Academy Inc. and Mindy McNichols, Attorney, representing the School Board of Miami-Dade County. Chairman Fair called for a motion to accept or reject the recommendation of the Charter School Appeal Commission to deny the appeal of Excel Academy Charter School. A motion to accept the Commission's decision to deny the appeal of Excel Academy Charter School was made by Mrs. Taylor with a second by Dr. Desai. The motion passed unanimously.

Chairman Fair called for a motion to accept or reject the recommendation of the Charter School Appeal Commission to deny the appeal of Excel Academy Middle Charter School. A motion to accept the Commission's decision to deny the appeal of Excel Academy Middle Charter School was made by Dr. Desai with a second by Mrs. Taylor. The motion passed unanimously.

Charter School Appeal: Padah's Academy vs. Hillsborough County School Board

Chairman Fair recognized Mary White, representing Padah's Academy and Tom Gonzalez, Attorney, representing the School Board of Hillsborough County. Chairman Fair called for a motion to accept or reject the recommendation of the Charter School Appeal Commission to deny the appeal of Padah's Academy. A motion to accept the Commission's decision to deny the appeal of Padah's Academy was made by Mrs. Taylor with a second by Dr. Desai. The motion passed unanimously.

CONSENT AGENDA

Chairman Fair called for a motion to approve the consent agenda, items 1 – 6. The motion was made by Mrs. Taylor with a second by Dr. Desai. The motion to approve the consent agenda passed unanimously.

UPDATES/PRESENTATIONS

Career Readiness Initiatives in Florida

Commissioner Smith recognized Loretta Costin, Vice Chancellor, Division of Workforce Education, for a presentation on Florida Ready to Work, Career and Professional Academies, Industry Certification, and other Career Readiness Initiatives in Florida. Ms. Shanahan recommended that all the information on Florida Ready to Work be linked with the Department of Education's website for easy accessibility.

Enhancing Education through the Use of Technology

Commissioner Smith recognized Dr. Kate Kemker, Director, Technology and Innovation, to provide an update on Enhancing Education through the Use of Technology. Dr. Kemker reported that 49 percent of the school districts are allowing the use of wikis, 36 percent of the school districts are allowing the use of blogs, 30 percent are allowing digital content services to be available, 22 percent are allowing access to photo sharing services, and 60 percent of the school districts have a variety of learning management systems. Ms. Shanahan requested information on how the Department is spending federal stimulus dollars designated for technology. Dr. Kemker explained that the Department received \$30 million from the American Recovery and Reinvestment Act and is waiting for instructions from the United States Department of Education on how it will be spent.

Ms. Shanahan requested an update on stimulus funds for technology at the next meeting. Dr. Desai recommended considering what worked in Singapore and Australia as a possible solution for Florida.

Dr. Willis Holcombe, Chancellor, Division of State Colleges, reported that Florida colleges through the Florida Distance Learning Consortium have developed "The Orange Grove" Florida's K-20 Digital Repository. Dr. Holcombe stated that the Distance Learning Consortium will bring recommendations to the Board on the use of the digital repository for open access textbooks in March. Dr. Holcombe also stated that last year there were 460,000 students in Florida colleges and universities enrolled in at least one on-line course with 21,000 different on-line courses offered and that's a 20 percent increase since last year.

ADJOURNMENT

Chairman Fair stated that the next scheduled meeting is July 14, 2009, via conference call.

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