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STATE BOARD OF EDUCATION
April 2, 2009

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NOTE: This meeting can be viewed by going into the Department of Education Website, www.gadoe.org, under State Board of Education/Webcasts.

**MINUTES OF THE
STATE BOARD OF EDUCATION MEETING**

**Atlanta, Georgia
Wanda Barrs, Chairman**

**April 2, 2009
Kathy Cox, Superintendent**

The State Board of Education met in an official meeting on Thursday April 2, 2009, at 8:00 a.m. in the State Board Room.

Executive Session

By motion of Mr. Perez, seconded by Dr. Ragsdale, a unanimous affirmative vote was given to go into Executive Session for the purpose of discussing waivers, appeals, and legal and personnel matters.

At 9:40 a.m., by motion of Dr. Bostic, seconded by Mr. Winter, a unanimous affirmative vote was given to come out of Executive Session.

Roll Call

Ms. Wanda Barrs
Dr. Jim Bostic
Mr. Brad Bryant
Mr. Brian Burdette

Mr. Al Hodge
Mr. Buzz Law
Dr. Mary Sue Murray
Mr. Jose Perez

Dr. Mary Sue Polleys
Dr. Elizabeth Ragsdale
Mr. Larry Winter
Mrs. Linda Zechmann

Absent: Mr. Allen Rice

Inspiration/Pledge of Allegiance

Dr. Mary Sue Murray, State Board Member representing the Thirteenth Congressional District, introduced Ms. Wanda Floyd, Principal of Hollydale Elementary and Mr. Dale Mack, Past Hollydale PTA President to give the inspiration and lead the audience in the Pledge of Allegiance.

Chair Barrs introduced Colonel Deborah Grays, Garrison Commander of Fort McPherson and Fort Gillem to give a special presentation. Colonel Grays presented a letter and certificate of appreciation from Pete Geren, Secretary of the Army and Gen. George W. Casey, Jr., Chief of Staff of the Army to Superintendent Cox, Buck Hilliard and Lynn Roberts for supporting members of the military and their families. Along with the letter and certificate of appreciation, each were given an Army lapel pin symbolizing the partnership between the Army, its Soldiers, their families and the communities.

Chair Barrs recognized Colandra Allmond from the Attorney General's office. Ms. Allmond attends Executive Session to provide any assistance the Board may need from the Attorney General's office.

Excellence Recognition

At the Committee of the Whole Meeting on Wednesday, April 1, 2009, Superintendent Cox presented the following Excellence Recognition Awards.

Excellence in Art

Every year, the Georgia Art Education Association selects a winner from each congressional district of talented students who have demonstrated excellence in art. The art will be on display for the next year on the 20th floor and the State Board room.

The first student recognized was **Kimberly Bicknese**. She is an 11th grade student at **Coffee County High School**. Kimberly used Adobe Photoshop to create her digital painting. Using a tablet and a pen that is connected to the computer, this form of art is just like any other; except you use a pen instead of a brush.

Next was **Abigail (Abby) Pepper**, a 6th grade student at **Ellis G. Arnall Middle School in Coweta County**. Abby used vegetable paper to create her artwork. She printed three black fish that look like they are swimming in a stream of blue water. Abby used a metallic pen as a top layer to give the picture more depth. The art work was further enhanced with green geometric border.

Britney Sparks is a 5th grader at **Stone Mountain Elementary School, in DeKalb County**. Students were asked students to show what they wanted to be when they grew up and to include balance, rhythm and movement in the art. Britney did just that in her collage that includes a photograph of her with a laptop, photo printer and a video camera.

Mileana Fields goes to **Stonewall Tell Elementary School in Fulton County**. Mileana's work of art has a tropical theme of many leaves and a beautiful toucan. She used colorful chalks and crinkle paper to achieve this look.

Robyn Smyth is a 1st grader at **Sweet Apple Elementary in Fulton County**. Robyn created a mask mixing primary colors and geometric shapes. Straw, construction paper and paint were used to create Robyn's work.

The next honoree is **Caroline Sexton**, a 6th grader at **Five Forks Middle** in Gwinnett County. Caroline's artwork depicts a duck and its shadow in water.

The next student honored was **Karina Malave**, a 9th grader at **Warner Robins High, in Houston County**. She created a self-portrait using charcoal.

The next honoree was **Amy Rodriguez**, an 8th grader at **East Hall Middle, in Hall County**. Amy's artwork includes geometric shapes that are inside circles. The pattern of orange and purple gives a hologram illusion.

Next to be recognized was **Hunter Bentley**, a 5th grader at **South Columbia Elementary** in **Columbia County**. Hunter's artwork represents the Post-Impressionism style of Georg Seurat. Hunter's artwork depicts a bird on a branch.

Next was **Lauren Sanders**, a 4th grader at **Frey Elementary**, in **Cobb County**. Lauren's collage of colorful water flowers uses many different techniques such as layering material, pasting, and painting.

Brandi Jackson, an 8th grader at **CT Walker Magnet**, in **Richmond County** was the next student to be recognized. She first began her artwork of guitars by using a pencil sketch. She then decided to recreate the image as a collage using fabric. The textures enhance the clean lines and details of the different guitars in the collage.

The final art winner was **Erik Abarca**, an 11th grader at **Lithia Springs High**, in **Douglas County**. One of the many great pieces Erik created for his portfolio this year is this print done with pen and marker. Erik said it is a mixed media study of his dog, Savache.

Excellence in Career and Technology Education.

These awards are given to students who are leaders of organizations that inspire and prepare our young people to lead and be successful in their careers.

Victoria Slagle, a 12th grader at **Troup County Comprehensive High School**, is the SkillsUSA State President where she has been a member since 9th grade. SkillsUSA is a partnership of students, teachers and industry working together to ensure America has a skilled work force. In 2007, Victoria represented the state as the gold medal winner in Screen Printing and went on to receive the National Silver Medal at the National Leadership and Skills Conference.

Alicia Monique Hamlin, a senior at **Southwest Magnet High School & Law Academy** is State President of CTI (Career and Technology Instruction). After graduation, she plans to attend Middle Georgia Technical College to pursue a degree in the Nursing and Medical field.

Cody Batchelor, a senior at **Jasper County High School**, serves as the State President of the Future Business Leaders of America (FBLA). At the State Leadership Conference, Cody was recognized as one of the top FBLA members in the nation and will be recognized at the National Leadership Conference in Anaheim this summer.

Christin Samples, a Senior at **Chestatee High School** in **Hall County**, served as the 2008-2009 State President for Georgia DECA (An Association of Marketing Education Students). She is also the former DECA State Vice President of Civic Consciousness and received numerous 1st place regional and state awards. She was one of the top 16 National DECA finalists in "Entrepreneurship: Creating a Franchise Business Plan."

Seth Stowers, a senior at **Dawson County High School**, is the State Vice-President of the Future Farmers of America (FFA). Seth and his teammates represent the over 28,400 FFA

members in Georgia. The Georgia FFA Association is the 3rd largest in the nation. As state officer he travels across the state spreading the message of agricultural education and the FFA.

Brittany Trotter, a senior at **Habersham Central High**, serves as State President of the FCCLA (Family, Career and Community Leaders of America). Brittany will be receiving the National FCCLA Beth Middleton Memorial Scholarship at the National Leadership Conference in Nashville. She will also be receiving the Janet McGarity Barber Scholarship in honor of the first FCCLA State Advisor.

Osayande Imarhiagbe, a senior at **Riverdale High School** in Clayton County, serves as the State Treasurer of the Technology Student Association (TSA) and also as President of the local chapter. He is a state and national award-winning website designer and works on the Clayton County Public School website. In addition, Osay is creating a Teen Driving Site at the request of the Georgia Department of Transportation. He will be featured in their statewide news magazine soon. His TSA Chapter website has been selected by the national publication, *Tech Direction Magazine*, as the "Website of the Month."

Kizmik McPherson, a student who attends **Lithia Springs High School** in **Douglas County** served as Health Occupations Students of America (HOSA) Parliamentary State Officer for the 2008-2009 school year. HOSA's two-fold mission is to promote career opportunities in the health care industry and to enhance the delivery of quality health care to all people. Kizmik placed first in the Georgia HOSA 2008-2009 State Leadership Conference in the Human Growth and Development Knowledge Test and went on to Nationals in Dallas, Texas to represent Georgia.

State School Retirees

Three employees from the **Georgia Academy for the Blind** are retiring. **Brenda Morris**, a paraprofessional at the Georgia Academy for the Blind for 34 years; **Annie Gibson**, since 1975, first as a houseparent and later as a teacher aide; and **Clara Mosley**, 34 years in education at the Georgia Academy for the Blind as a paraprofessional.

Faithful Service Awards

Jennifer Hackemeyer is being recognized for 25 years of faithful service. Jennifer began her service to state government after graduation from the University of Georgia Law School. She was hired as an attorney in the Georgia Attorney General's office where she worked for over ten years. She served as a member of the Technical College's senior leadership team for over 11 years with responsibility for human resources and legal services. Jennifer has served as the general counsel for the Department of Education since October of 2005.

Ken Marler, received a faithful service award for 25 years at the Department of Education. Currently, Ken works in the Cash Management section in Accounting Services.

ACTION ITEMS

AGENDA

By motion of Dr. Murray, seconded by Mr. Hodge, a unanimous affirmative vote was given to approve the agenda as amended for the April 2, 2009 State Board Meeting.

CONSENT AGENDA

By motion of Dr. Bostic, seconded by Mr. Perez, a unanimous affirmative vote was given to approve the following items on the amended Consent Agenda.

All of these items in their entirety, with backup material, can be found on the State Board of Education E-Board website, April 2, 2009 State Board Meeting.

1. Contract – Norm Referenced Tests (NRT). Authorized the State Superintendent of Schools to enter into a contract with Riverside Publishing at a cost not to exceed \$565,826.01 in State funds for the services and products related to the administration, scoring, and reporting of a nationally norm-referenced test for the 2009-2010 school year, contingent on the final appropriations for fiscal year 2010.
2. Grant – Residential and Reintegration Services for Special Education. Authorized the State Superintendent of Schools to award a grant to Local Education Agencies (LEAs) at a cost not to exceed \$1,658,859.00 in State funds for special education residential and reintegration services.
3. Grant – Reading First Grant Awards FY 10. Authorized the State Superintendent of Schools to award a grant to selected LEAs at a cost not to exceed \$10,329,178.00 in Federal funds for continuation of the Reading First program.
4. Grant – AP Teacher Training Grants 2009 – Second Round. Authorized the State Superintendent of Schools to award a grant to selected school systems at a cost not to exceed \$132,000.00 in Federal funds for training teachers of Advanced Placement courses.
5. USDA Commodity Distributor. Authorized the State Superintendent of Schools to enter into a contract with USFoodservice at a cost not to exceed \$0.00 in State/Federal funds for warehousing and distribution services of USDA commodities to local school systems in warehouse region 1.
6. 2008 Donations to State Schools. Mr. Winter wanted to personally thank each of the donors who donated funds to the State Schools in the amounts listed below. *A listing of the donors can be found on E-Board, April 2, 2009 State Board Meeting under Consent Agenda.*
 - Atlanta Area School for the Deaf – \$3,527.32
 - Georgia Academy for the Blind – \$4,115.00
 - Georgia School for the Deaf – \$1,854.48

- A collective donation to all three schools - \$100.00
7. New Charter Petition – ACES Virtual Charter School. Denied a charter for ACES Virtual Charter School.
 8. New Charter Petition – Carroll County College and Career Academy. Approved the charter for Carroll County Career Academy, a 9-12 LEA start-up charter school, for a ten-year term, from July 1, 2009 to June 30, 2019.
 9. New Charter Petition – Elite Scholars Academy Charter School. Approved the charter for Elite Scholars Academy Charter School, a 6-12 LEA start-up charter school to be located in Clayton County, for a five-year term, from July 1, 2009 to June 30, 2014.
 10. New Charter petition – Fulton Leadership Academy. Approved the charter for Fulton Leadership Academy, a 6-12 state-chartered special school to be located in Fulton County, for a five-year term, from July 1, 2009 to June 30, 2014.
 11. New Charter Petition – Houston County Career Academy. Approved the charter for Houston County Career Academy, a 9-12 LEA start-up charter school, for a ten-year term, from July 1, 2009 to June 30, 2019.
 12. New Charter Petition – KIPP STRIVE Academy. Approved the charter for KIPP STRIVE Academy, a 5-8 start-up charter school to be located in the Atlanta Public Schools district, for a five-year term, from July 1, 2009 to June 30, 2014.
 13. New Charter Petition – Millennium Scholars Academy. Denied a charter for Millennium Scholars Academy.
 14. Charter Amendment – Ridgeview Charter School. Approved charter amendments for Ridgeview Charter School, a 6 - 8 conversion charter school located in Fulton County.
 15. System Waiver – 2008-2009 Class Size Waivers. Approved for the 2008-2009 school year the requests to waive SBOE Rule 160-5-1-.08 CLASS SIZE to increase the maximum class size requirement for the school districts listed below.
Barrow County, Bremen City, Camden County, Carroll County, Dawson County, Fayette County, Hall County, Thomaston-Upson County, White County, and Whitfield County
 16. System Waiver – 2008-2009 Dade County Block Schedule Waiver. Approved for the 2008-2009 school year, the Dade County School District's requested waiver for block scheduling.
 17. System Waiver – Thomas County Schools Student Achievement Waiver. Approved Thomas County Schools' request for a Title 20 Waiver for the 2008-2009 and the 2009-2010 school year.

18. System Waiver – FY 09 Alternative Education Program Waiver. Approved for the 2008-2009 school year, the waivers for the Alternative Education Programs (AEP) for the following school districts:

Ben Hill County, Dade County , Decatur County, Elbert County, and Laurens County.
19. Title 20 Waiver – Decatur County Schools – SY 2009-2010. Approved Decatur County Schools request for a Title 20 Waiver for the 2009-2010 school year.
20. System Waiver – Title 20 Waiver – McDuffie County Schools – SY 2009-2010. Approved McDuffie County Schools request for a Title 20 Waiver for the 2009-2010 school year.
21. Jefferson County Administrative Waiver. Waived provision 2 (a) 5 (i) of Rule 160-5-1-.22 Statewide School Nutritional Program for Jefferson County for FY09 and FY10 that requires a school system of less than base size having five or more schools to employ, at a minimum, a school nutrition program director-trainee on a part time basis.
22. Screven County Administrative Waiver. Waived provision 2 of Rule 160-5-4-.15 Bidding Requirements for State-Funded School Capital Outlay Projects for the Screven County High School construction project so as to authorize the department to release capital outlay funds to Screven County.
23. Sumter County Administrative Waiver. Waived provision 2.a of Rule 160-5-4-.18 Bidding Requirements for State-Funded School Capital Outlay Projects for the Americus-Sumter County High School and Staley Middle School construction projects so as to authorize the department to release capital outlay funds to Sumter County.
24. 2008-2009 Title I Committee of Practitioners Membership. Authorized the State Superintendent of Schools to approve the proposed list of nominees as Title I Committee of Practitioners members to advise the State Educational Agency (SEA) receiving funds under this title in carrying out its responsibilities as required by the No Child Left Behind Act of 2001 (NCLB) Section 1903.
25. Assessment and Accountability – Standard Setting for the Criterion-Referenced Competency Tests (CRCT). Authorized the State Superintendent of Schools to approve recommended GPS-based performance standards or cut scores for the Criterion-Referenced Competency Tests in the following content areas/grades: Social Studies, grades 3, 4, and 5.
26. 2009 State Learning Resources Advisory Committee. Authorized the State Superintendent of Schools to approve the 2009 Learning Resources Advisory Committee.
27. Memorandum of Understanding with Georgia Professional Standards Commission. Approved a Memorandum of Understanding between the Georgia Department of Education

and the Georgia Professional Standards Commission to streamline the process for initial placement of Austrian educators in Georgia schools

28. Georgia Performance Standards for K-5 Modern Languages. Granted permission for the posting of the Georgia Performance Standards for K-5 Modern Languages for public review and comment.
29. Minutes. Approved the minutes of the March 12, 2009 State Board Meeting.
30. Personnel Action. Approved the April 2, 2009 personnel recommendations as presented by the State Superintendent of Schools.
31. Case No. 2009-28. LaShunda Hawkins v. DeKalb County Board of Education. Sustained the Local Board's decision.
32. Case No. 2009-31. S.M. v. DeKalb County Board of Education. Appeal was dismissed.
33. Case No. 2009-32. Mozell Smith, Jr. v. Twiggs County Board of Education. Sustained the Local Board's decision.
34. Case No. 2009-33. A.R. v. Savannah-Chatham County Board of Education. Appeal was dismissed.
35. Variance Requests of the Georgia High School Graduation Tests or the Georgia High School Writing Test. Approved the requests for a variance of the identified portions(s) of the Georgia High School Graduation Tests (GHSGT) or the Georgia High School Writing Test (GHSWT) for the following cases:

Mathematics: 09-0492; 09-0756; 09-0772; 09-0798;
Science: 09-0765; 09-0766; 09-0768; 09-0770; 09-0773; 09-0776; 09-0788; 09-0789; 09-0790; 09-0791; 09-0793; 09-0794; 09-0796; 09-0799; 09-0800; 09-0805; 09-0816; 09-0821; 09-0822;
Science and Social Studies: 09-0797; 09-0823;
Science and Writing: 09-0814;
Social Studies: 09-0757; 09-0767; 09-0769; 09-0771; 09-0792; 09-0795; 09-0812; 09-0815.
36. Waiver Requests of the Georgia High School Graduation Tests or the Georgia High School Writing Test. Made the following decisions on the waiver requests of the Georgia High School Graduation Tests (GHSGT) or the Georgia High School Writing Tests (GHSWT) for the students and areas identified below:

Case #	Recommendation	Area(s) of Request
09-0668	Deny	Science, Social Studies and Writing

09-0758	Deny	Science
09-0759	Deny	Mathematics
09-0760	Deny	Social Studies
09-0761	Deny	Science, Social Studies and Writing
09-0762	Deny	Social Studies
09-0763	Deny	English Language Arts
09-0764	Deny	Social Studies
09-0775	Deny	English Language Arts, Science, Mathematics, and Social Studies
09-0777	Deny	Science, Social Studies, and Mathematics
09-0778	Deny	Science
09-0779	Deny	English Language Arts, Science, Social Studies, Mathematics, and Writing
09-0780	Deny	English Language Arts
09-0781	Deny	Science
09-0785	Deny	English Language Arts, Science, Social Studies, and Mathematics
09-0787	Deny	Science and Mathematics
09-0801	Deny	Social Studies
09-0804	Deny	Science
09-0807	Deny	English Language Arts
09-0809	Deny	Writing
09-0810	Approve	Mathematics
09-0811	Deny	English Language Arts, Science, Social Studies, and Mathematics

37. Waiver Reconsideration Requests of the Georgia High School Graduation Tests (GHS GT) or the Georgia High School Writing Test (GHS WT). Made the following decisions on the reconsideration requests for Waivers of the Georgia High School Graduation Tests or the Georgia High School Writing Test made at earlier State Board of Education meetings for the students and areas identified below:

Case #	Recommendation	Original Decision Date	Areas of Request
09-0260	Sustain decision to deny	12/11/2008	Science, Social Studies, and Mathematics
09-0604	Sustain decision to deny	2/12/2009	Science and English Language Arts

EXECUTIVE SESSION ACTIONS

1. Waiver Request – Case 09-0774 – Georgia High School Writing Test. By motion of Mr. Bryant, seconded by Dr. Bostic, it was recommended that the State Board of Education deny the request for a waiver of the Georgia High School Writing Test for the student identified as Case 09-0774. 7 voted no, 5 voted yes. This waiver will be placed on the May 2009 State Board of Education agenda for a recommendation to approve.
2. Waiver Request – Case 09-0813 – Georgia High School Graduation Test. By motion of Mr. Bryant, seconded by Dr. Bostic, it was recommended that the State Board of Education deny the request for a waiver of the Science portion of the Georgia High School Graduation Test for the student identified as Case 09-0813. The vote was 6 no and 6 yes. By motion of Mr. Hodge, seconded by Dr. Ragsdale, a unanimous affirmative vote was given to table Case 09-0813 until the May 2009 State Board Meeting for further research regarding a tie vote.
3. Waiver Request – Case 09-0784 – Georgia High School Graduation Test. By motion of Mr. Bryant, seconded by Dr. Polleys, an affirmative vote was given to approve the request for a waiver of the Social Studies portion of the Georgia High School Graduation Test for the student identified as Case 09-0784 with a vote of 8 yes and 4 no. Motion carried.

POLICY/RULES COMMITTEE ITEMS

1. Rule Repeal and Replacement Initiation – Repeal SBOE Rule 160-4-2-.31 Hospital/Homebound Instruction and Initiate SBOE Rule 160-4-2-.31 Hospital/Homebound (HHB) Services. By motion of Mrs. Zechmann, seconded by Dr. Bostic, a unanimous affirmative vote was given to authorize the State Superintendent of Schools to initiate the rulemaking procedure in accordance with the Georgia Administrative Procedure Act so as to repeal the existing State Board of Education Rule 160-4-2-.31 Hospital/Homebound Instruction and adopt a new State Board of Education Rule 160-4-2-.31 Hospital/Homebound (HHB) Services.

OTHER BUSINESS ITEMS

1. Forsyth County Schools Board of Education Contract – Investing in Educational Excellence (IE2). By motion of Dr. Bostic, seconded by Mr. Law, an affirmative vote was given to authorize the State Superintendent of Schools to enter into an IE2 Partnership Contract with the Forsyth County Schools Board of Education, with Mrs. Zechmann voting no.

A constituent, Ms. Carmen Allen, asked that her letter voicing her concerns regarding the above contract be included in the minutes. It is in the official Board file.

SUPERINTENDENT’S REPORT

1. Standard Error of Measurement (SEM Report). Stephen Pruitt and Melissa Fincher gave an update on the SEM Report and the Testing program. Ms. Fincher explained the different scores on the various tests that are given to Georgia students. She will provide talking points for the Board members to use when receiving questions from constituents.
2. Curriculum Update. Pam Smith talked about the new ExPress Program, a summer remedial program for high school students who fail the Georgia High School Graduation Tests. Funding has been made available to pay teachers this summer to conduct this program. This program will concentrate on science and social studies. Classes will be held June 8 – 19 for students who have failed the science or social studies graduation tests. On June 19, after students take this remedial class, they will be given the opportunity to retake the graduation test. Dr. Smith will send the Curriculum timeline for the other subjects to the Board.
3. Longitudinal Data System Report. Travis Willard stated that the Department had received information from the US Department of Education, that Georgia has received a \$8.9 million grant to improve the Longitudinal Data System. The first two years of funding will be received within the next two weeks. He then gave an update on the student information system. A report will be given regarding this system each month to update the board.
4. Legislative Update. Clara Keith discussed some of the bills that will impact the Department of Education.
5. Public Hearing Handouts. Buck Hilliard gave out handouts Board members can use at their upcoming public hearings.

Announcements

1. Chair Barrs indicated that a draft of standards will be ready next month from the Local Board Standards Task Force. Four national experts will look at these standards, Brenda Welburn, Joe Villani, Tom Alsbury and Mark Elgart. The next Local Board Standards Task Force meeting is scheduled for April 17 and the next Local Board Advisory Committee meeting is scheduled for April 29.

Adjournment

At 12 noon, by motion of Mr. Winter, seconded by Dr. Bostic, a unanimous affirmative vote was given to adjourn the State Board meeting.

Next Scheduled Meeting of the State Board

The next State Board Meeting is scheduled for May 14, 2009.

Lynn Roberts, Recorder