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March 12, 2009

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

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

**Atlanta, Georgia  
Wanda Barrs, Chairman**

**March 12, 2009  
Kathy Cox, Superintendent**

The State Board of Education met in an official meeting on Thursday March 12, 2009, at 8:20 a.m. in the State Board Room.

**Inspiration/Pledge of Allegiance**

Mr. Al Hodge, State Board Member representing the Tenth Congressional gave the inspiration and led the audience in the Pledge of Allegiance.

**Roll Call**

Ms. Wanda Barrs	Mr. Al Hodge	Dr. Elizabeth Ragsdale
Dr. Jim Bostic	Mr. Buzz Law	Mr. Allen Rice
Mr. Brad Bryant	Dr. Mary Sue Murray	Mr. Larry Winter
Mr. Brian Burdette	Dr. Mary Sue Polleys	Mrs. Linda Zechmann

Absent: Mr. Jose Perez – representing the Board at the NASBE Legislative Conference.

The State Board met for a one-day meeting today, combining the Committee of the Whole meeting with the regular State Board meeting. Chair Barrs will be sending an e-mail survey to the Board members to get feedback regarding this one-day meeting.

Board members recessed to their various Board Committee meetings – Budget/Finance Committee, Charter Committee and Policy/Rules Committee.

**Executive Session**

At 11:35, the State Board reconvened. By motion of Dr. Bostic, seconded by Dr. Ragsdale, a unanimous affirmative vote was given to go into Executive Session for the purpose of discussing waivers, appeals, and legal matters.

At 1:10 the State Board reconvened. By motion of Mr. Hodge, seconded by Mr. Law, a unanimous affirmative vote was given to come out of Executive Session.

At this time, Dr. Bostic had to leave the Board meeting.

Chair Barrs introduced guests in the audience – Mr. Ted Stone, representing the Georgia School Boards Association Board of Directors and Ms. Lula Mae Perry, Superintendent of Jeff Davis County Schools.

At this time, the State Board developed the Consent Agenda to be voted on later in the day.

## **SUPERINTENDENT'S REPORT**

1. School Safety Report. Mr. Garry McGiboney gave a report on Safe Schools and Student Achievement.

The Board took a short break and reconvened at 2:45.

## **Strategic Planning**

During this part of the Board meeting, the Superintendent talked about the State Education Budget and the Federal Stimulus Package.

At 3:50 p.m. the Board reconvened the business portion of the State Board Meeting.

## **ACTION ITEMS**

### **AGENDA**

By motion of Mr. Hodge, seconded by Mr. Law, a unanimous affirmative vote was given to approve the agenda for the March 12, 2009 State Board Meeting.

### **CONSENT AGENDA**

By motion of Mr. Hodge, seconded by Mr. Winter, a unanimous affirmative vote was given to approve the following items on the Consent Agenda.

*All of these items in their entirety, with backup material, can be found on the State Board of Education E-Board website, March 12, 2009 State Board Meeting.*

1. Contract – Statewide K-12 Network. Authorized the State Superintendent of Schools to enter into a contract with AT&T at a cost not to exceed \$12,617,004 in State/Federal funds for maintenance and upgrades related to the K-12 Statewide Network.
2. Grant – Mathematics & Science Partnership (MSP) Program - Title II-B. Authorized the State Superintendent of Schools to award a grant to approved applicants at a cost not to exceed \$5,285,439 in Federal funds for a period from July 1, 2009 –June 30, 2010.
3. Title III A Consortium ESOL Cohort FY 09. Authorized the State Superintendent of Schools to award an additional grant to Southwest Georgia RESA for Title III Consortium at a cost not to exceed \$156,350 in Federal funds for FY 09.
4. Contract – Readers for 2009-2010 21<sup>st</sup> Century Community Learning Centers Grant Applications. Authorized the State Superintendent of Schools to enter into a contract with 40

approved readers at a cost not to exceed \$86,000 in Federal funds for review of 21<sup>st</sup> Century Community Learning Centers grant applications.

5. Resolution to Issue General Obligation Bonds. Authorized the State Superintendent of Schools to take the appropriate actions necessary for the Georgia State Financing and Investment Commission to issue \$4,500,000 in five-year general obligation bonds and \$171,000,000 in twenty-year general obligation bonds on behalf of the Georgia Department of Education.
6. Grant – FY 09 Title I Distinguished Schools Grant Award Amendment. Authorized the State Superintendent of Schools to amend the FY 09 Title I Distinguished Schools grant award in the amount of \$28,890 for a total of \$2,137,367 in Federal funds for Title I Distinguished Schools.
7. FY 2009 Title I, Part A for Scholar’s Academy. Authorized the State Superintendent of Schools to award a grant to Scholar’s Academy Inc. at a cost not to exceed \$16,401 in Federal funds for No Child Left Behind Programs for FY 2009.
8. New Charter Petition – Athens Community Career Academy. Approved the charter for Athens Community Career Academy, a 9-12 LEA start-up charter school to be located in Clarke County, for a five-year term, from July 1, 2010 to June 30, 2015.
9. New Charter Petition – Lanier Charter Career Academy. Approved the charter for Lanier Charter Career Academy, a 9-12 LEA start-up charter school to be located in Hall County, for a ten-year term, from July 1, 2009 to June 30, 2019.
10. New Charter Petition – Southeastern Early College and Career Academy. Approved the charter for Southeastern Early College and Career Academy, a 9-12 jointly authorized LEA start-up charter school, for a five-year term, from July 1, 2009 to June 30, 2014.
11. Charter Advisory Committee Appointment. Appointed Mr. David Jernigan to fill the vacant position on the Charter Advisory Committee.
12. Federal Report – Federal Consolidated State Performance Report, Part 2. Authorized the State Superintendent of Schools to submit Part 2 of the Federal 2007-2008 Consolidated State Performance Report to the United States Department of Education (US ED).
13. Mathematics I and Mathematics II End-of-Course Test (EOCT) Waiver. Approved a waiver of Rule 160-4-2-.13 STATEWIDE PASSING SCORE part (2)(e), for students participating in the 2009 spring administration of the Mathematics I and Mathematics II End-of-Course Tests (EOCT).
14. 2008 Equity I Sports Act Annual Report. Authorized the State Superintendent of Schools to submit to the General Assembly the Equity in Sports Act Annual Report for 2007-08.

15. February State Board Minutes. Approved the minutes of the February 12, 2009 State Board meeting.
16. Personnel Action. Approved the March 12, 2009 personnel recommendations as presented by the State Superintendent of Schools.
17. Case No. 2009-24. C.S. v. Douglas County Board of Education. Appeal was dismissed.
18. Case No. 2009-25. J.L. v. Gwinnett County Board of Education. Local Board's decision was sustained.
19. Case No. 2009-27. C.J. v. Burke County Board of Education. Sustained the Local Board's decision.
20. Case No. 2009-29. B.H. v. Brantley County Board of Education. Appeal was dismissed.
21. 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 portion(s) of the Georgia high School Graduation Tests (GHSGT) or the Georgia High School Writing Test (GHSWT) for the following cases:

**English Language Arts:** 0727; 0751;

**Mathematics:** 0698; 0728; 0742;

**Science:** 0680; 0681; 0682; 0688; 0689; 0690; 0691; 0693; 0694; 0699; 0700; 0705; 0707; 0709; 0712; 0713; 0722; 0723; 0724; 0725; 0726; 0731; 0738; 0739; 0740; 0743; 0744; 0752;

**Science and Mathematics:** 0754;

**Science and Social Studies:** 0692; 0706; 0710; 0741;

**Social Studies:** 0704; 0708; 0711; 0753;

**Writing:** 0732; 0755

22. 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 (GHGST) or the Georgia High School Writing Tests (GHSWT) for the students and areas identified below.

<b>Case #</b>	<b>Recommendation</b>	<b>Area(s) of Request</b>
09-0613	Deny	Science
09-0614	Deny	Science
09-0655	Deny	English Language Arts, Mathematics, Social Studies and Science
09-0677	Deny	English Language Arts and Science
09-0679	Deny	Science and Social Studies
09-0683	Deny	Science and Social Studies
09-0684	Deny	Mathematics

09-0685	Approve	Science
09-0686	Deny	Science
09-0687	Deny	Social Studies
09-0693	Deny	Mathematics
09-0695	Deny	Social Studies
09-0696	Deny	Science
09-0697	Deny	English Language Arts, Mathematics, and Science
09-0701	Deny	Science
09-0702	Approve	Science
09-0703	Deny	Writing
09-0715	Deny	Science
09-0716	Deny	Science
09-0717	Deny	Mathematics, Social Studies, and Science
09-0718	Deny	Mathematics and Writing
09-0719	Deny	Science
09-0720	Deny	Mathematics
09-0721	Deny	Mathematics, Science, and Social Studies
09-0729	Approve	Science
09-0730	Approve	English Language Arts
09-0733	Deny	Science and Social Studies
09-0734	Deny	Science
09-0735	Deny	Science
09-0736	Deny	Science, Social Studies, and Writing
09-0737	Deny	Science and Social Studies
09-0745	Deny	Writing
09-0746	Deny	Mathematics
09-0747	Deny	Science and Social Studies
09-0748	Deny	English Language Arts and Writing

23. 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
09-0509	Sustain decision to	January 8,	Science

	deny	2009	
09-0676	Sustain decision to deny	July 10, 2008, August 14, 2008, October 9, 2008	Science
09-0714	Sustain decision to deny	June 12, 2008	Science and Social Studies
09-0749	Sustain decision to deny	March 8, 2007	Mathematics, Science, and Social Studies

**POLICY AND RULES**

1. Rule 160-4-9-.04 CHARTER SCHOOLS. By motion of Ms. Zechmann, seconded by Dr. Polleys, a unanimous affirmative vote was given to authorize the State Superintendent of Schools to initiate the rule making procedure in accordance with the Georgia Administrative Procedure Act so as to amend State Board of Education Rule 160-4-9-.04 CHARTER SCHOOLS.

**EXECUTIVE SESSION ITEMS**

1. Case No. 2009-19. Lawrence W. Bynum v. Cobb County Board of Education. By motion of Mr. Bryant, seconded by Dr. Murray, a unanimous affirmative vote was given to reverse and remand the decision of the Local Board.
2. Case 09-0750 – Student Waiver Reconsideration. By motion of Mr. Bryant, seconded by Mr. Winter, an affirmative vote was given to overturn the decision to deny the waiver request for student Case 09-0750 made at the July 10, 2008 meeting of the Board, and approve the request. Vote was 7 yes and 4 no. Motion carried.

**Announcements**

1. Brian Burdette will hold his public hearing March 25 in Morgan County.
2. Linda Zechmann and Allen Rice will hold their public hearing together on March 26 in Savannah.

**Adjournment**

At 4:30 p.m., by motion of Mr. Burdette, seconded by Mr. Rice, 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 April 2, 2009.

Lynn Roberts, Recorder