



INDEX TO MINUTES  
STATE BOARD OF EDUCATION  
May 14, 2009

|   |       |
|---|-------|
| Inspiration/Pledge of Allegiance.....             | 1-2   |
| Roll Call.....                                    | 1     |
| Consent Agenda Items .....                        | 2-9   |
| Action Items.....                                 | 2-10  |
| Executive Session Items .....                     | 9     |
| Superintendent’s Report.....                      | 11    |
| Announcements.....                                | 11-12 |
| Next Meeting of the State Board of Education..... | 12    |

**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**

**May 14, 2009  
Kathy Cox, Superintendent**

The State Board of Education met in an official meeting on Thursday May 14, 2009, at 8:10 a.m. in the State Board Room.

**Executive Session**

By motion of Mr. Hodge, 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 10:15 a.m., by motion of Mr. Hodge, seconded by Dr. Bostic, a unanimous affirmative vote was given to come out of Executive Session.

**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 | Mr. Jose Perez      | Mrs. Linda Zechmann    |

**Inspiration/Pledge of Allegiance**

Dr. Mary Sue Polleys, former State Board Member representing the Third Congressional District, gave the inspiration and lead the audience in the Pledge of Allegiance.

Dr. Mary Sue Polleys resigned from the State Board of Education on May 11 in order to continue teaching part time at Columbus State University. Superintendent Cox and Chair Barrs presented Dr. Polleys with a resolution that read:

WHEREAS, Dr. Mary Sue Polleys has had a distinguished career as an educator and dedicated public servant to education; and

WHEREAS, Dr. Polleys has taught students at all ages in many different settings, most recently at Columbus State University, where she served as an Assistant Professor of Leadership Studies and directed the Servant Leadership Program; and

WHEREAS, Dr. Polleys' public service included thirteen years as a member and Chair of the Muscogee County Board of Education; and

WHEREAS, in recognition of her knowledge and expertise, Dr. Polleys was appointed by Governor Sonny Perdue in April 2007 to represent the Third District on the State Board of Education; and

WHEREAS, Dr. Polleys has been a voice of reason and knowledge on the board and has served as a tireless advocate for students in her district and throughout the state; and

WHEREAS, Dr. Polleys has decided to resume her teaching career and therefore, in accordance with state law must step down from the State Board of Education.

NOW, THEREFORE, BE IT RESOLVED THAT, the State Board of Education and the State Superintendent of Schools commend and thank Dr. Mary Sue Polleys for her service on the State Board of Education and wish her tremendous success in her continued service to the students of Georgia.

IN WITNESS WHEREOF, we have set our hands and caused the Georgia Department of Education Seal to be affixed this 14<sup>th</sup> day of May 2009.

(Signed by all Board members and Superintendent Cox)

Chair Barrs presented Dr. Polleys with an arrowhead from her Gully Branch Farm.

Dr. Mary Sue Murray presented Dr. Polleys with a card and stated that the State Board Members were donating \$100 to her favorite charity in her name.

### **ACTION ITEMS**

#### **AGENDA**

By motion of Dr. Bostic,, seconded by Mr. Law, a unanimous affirmative vote was given to approve the agenda as amended for the May 14, 2009 State Board Meeting.

#### **CONSENT AGENDA**

By motion of Dr. Bostic, seconded by Dr. Ragsdale, 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, May 14, 2009 State Board Meeting.*

1. Contract – Exam Preparation for Science and Social Studies (ExPreSS Program). Authorized the State Superintendent of Schools to implement the ExPreSS Program, including entering into contracts with science and social studies teachers and Memoranda of Understanding (MOU) with Local Educational Agencies (LEAs) for facilities and student transportation, and to purchase instructional materials/supplies at a total cost not to exceed \$1,500,000.00 in State funds.
2. Donations – 2008-2009 Donations for Teacher of the Year and Georgia Schools of Excellence Programs. Authorized the State Superintendent of Schools to accept \$75,725.00 in gifts and cash donations for the Georgia Teacher of the Year and Schools of Excellence Programs.
3. Contract – University of Georgia to Conduct an Evaluation on Supplemental Education Services (SES) Providers for the 2008-2009 School Year. Authorized the State Superintendent of Schools to enter into a contract with Board of Regents of the University

System of Georgia on behalf of the University of Georgia at a cost not to exceed \$92,000.00 in Federal funds for the evaluation of SES providers during the 2008-2009 school year.

4. Grant – National Board for Professional Teaching Standards (NBPTS) Grants – FY 09 – Amendment. Authorized the State Superintendent of Schools to amend the National Board for Professional Teaching Standards grant to Local Education Agencies at a cost not to exceed \$13,294,628.00 in State funds for persons certified through the National Board for Professional Teaching Standards (NBPTS).
5. Contract – Governor’s Honors Program Facilities and Services. Authorized the State Superintendent of Schools to enter into a contract with the Board of Regents of the University System of Georgia on behalf of Valdosta State University at a cost not to exceed \$713,356 in State funds for providing facilities and services for the 2009 (July) and 2010 (June) Governor’s Honors Programs.
6. Grant – Reallocation of Title I, Part D, Subpart 1 – Neglected or Delinquent Grant. Authorized the State Superintendent of Schools to award a grant to the Department of Human Resources (DHR) at a cost not to exceed \$34,918 in Federal funds for reallocation of a portion of the Georgia Department of Corrections (GDC) FY 09 title I, Part D, Subpart 1 allocation that is expiring September 30, 2009.
7. Grants – FY 2009-2010 Charter Schools Implementation Grants. Authorized the State Superintendent of Schools to award a grant to the three schools listed below at a cost not to exceed \$1,000,000.00 in Federal Funds for Charter Schools Program Implementation Grants.  
  
The P.R.E.P. Academy, 9-12, Thomas County, Start-up (\$400,000)  
Morgan County Charter High School, 9-12, Morgan County, Conversion (\$400,000)  
Wynnton Arts Academy, PK-5, Muscogee County, Conversion (\$200,000)
8. System Waiver – Title 20 Waiver – Harris County Schools. Approved Harris County Schools request for a Title 20 Waiver for the 2009-2010 school year.
9. 2008-2009 Consolidated State Application Accountability Workbook – AYP. Authorized the State Superintendent of Schools to submit the amended, revised version of the "Consolidated State Application Accountability Workbook: Revised for 2008-09" to the U.S. Department of Education.
10. Administrative Waiver – Baker County Schools. Approved for the 2008-2009 school year the request of the Baker County Board of Education to waive SBOE Rule 160-5-1-.01 SCHOOL YEAR, part(s) (2)(a) and (2)(e) to excuse two additional instructional days beyond the four emergency days provided in O.C.G.A. 20-2-168.
11. Administrative Waiver – Berrien County Schools. Approved for the 2008-2009 school year the request of the Berrien County Board of Education to waive SBOE Rule 160-5-1-.01

SCHOOL YEAR, part(s) (2)(a) and (2)(e) to excuse one additional instructional day beyond the four emergency days provided in O.C.G.A. 20-2-168.

12. Administrative Waiver – Coffee County Schools. Approved for the 2008-2009 school year the request of the Coffee County Board of Education to waive SBOE Rule 160-5-1-.01 SCHOOL YEAR, part(s) (2)(a) and (2)(e) to excuse two additional instructional days beyond the four emergency days provided in O.C.G.A. 20-2-168.
13. System Waiver – 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.

Bibb County Schools, Catoosa County Schools, Cobb County Schools, Columbia County Schools, DeKalb County Schools, Forsyth County Schools, Glascock County Schools, Henry County Schools, McDuffie County Schools, Muscogee County Schools, Paulding County Schools, and, Worth County Schools

14. Georgia Virtual School Waiver Request. Approved the request of the Boards of Education in Glascock, Lincoln, and Union counties to waive State Board of Education (SBOE) Rule 160-8-1-.01 Georgia Virtual School parts (2) (b) 2 and (2) (f) 6 to allow students to take two credit units in one semester.
15. Georgia Special Needs Scholarship Program – 2009-2010 Private School List. It is recommended that the State Board of Education approve the attached list of private schools to participate in the Georgia Special Needs Scholarship Program for the 2009-2010 school year. *(This list can be found on E-Board, May 14, 2009 State Board Meeting under Consent Agenda.)*
16. Georgia Performance Standards for Career, Technical and Agricultural Education (CTAE) Standards – Phase IV. Authorized the State Superintendent of Schools to post the GPS for CTAE for a public review period of at least sixty (60) days.
17. Personnel Action. Approved the personnel recommendations for May 14, 2009 as presented by the State Superintendent of Schools.
18. 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:

**English Language Arts:** 09-0965; 09-1008;  
**Mathematics:** 09-0861; 09-0879; 09-0893; 09-0972; 09-1025;  
**Mathematics and Social Studies:** 09-0951;

**Science:** 09-0834; 09-0835; 09-0836; 09-0837; 09-0838; 09-0840; 09-0841; 09-0842; 09-0843; 09-0851; 09-0852; 09-0853; 09-0854; 09-0857; 09-0859; 09-0873; 09-0874; 09-0878; 09-0880; 09-0881; 09-0886; 09-0887; 09-0888; 09-0889; 09-0891; 09-0894; 09-0903; 09-0905; 09-0907; 09-0922; 09-0923; 09-0924; 09-0943; 09-0949; 09-0950; 09-0952; 09-0962; 09-0964; 09-0966; 09-0967; 09-0968; 09-0969; 09-0970; 09-0971; 09-0974; 09-0975; 09-0976; 09-0977; 09-0997; 09-1021; 09-1022; 09-1024;

**Science and Mathematics:** 09-1023;

**Science and Social Studies:** 09-0839; 09-0846; 09-0855; 09-0863; 09-0876; 09-0920; 09-0973;

**Social Studies:** 09-0833; 09-0858; 09-0875; 09-0877; 09-0904; 09-0906; 09-0929; 09-0953; 09-0961; 09-0963; 09-1009;

**Writing:** 09-0856; 09-0860; 09-0864; 09-0892; 09-0911; 09-0921; 09-0928; 09-1010; 09-1026.

19. 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 Number | Recommendation | Type                   | Area(s) of Request                            |
|-------------|----------------|------------------------|---|
| 09-0782     | Deny           | Hardship<br>Disability | Science                                       |
| 09-0783     | Deny           | Hardship<br>Disability | Science                                       |
| 09-0824     | Deny           | Disability             | English Language Arts<br>Mathematics          |
| 09-0825     | Deny           | Disability             | Mathematics                                   |
| 09-0826     | Deny           | Disability             | English Language Arts                         |
| 09-0827     | Deny           | Hardship               | Science<br>Social Studies                     |
| 09-0828     | Deny           | Disability             | Social Studies                                |
| 09-0829     | Deny           | Hardship               | Mathematics<br>Social Studies                 |
| 09-0832     | Approve        | Hardship<br>Disability | All Sections                                  |
| 09-0844     | Deny           | Disability             | Science<br>Social Studies                     |
| 09-0845     | Deny           | Disability             | Science<br>Social Studies                     |
| 09-0847     | Deny           | Hardship<br>Disability | Mathematics<br>Social Studies                 |
| 09-0848     | Deny           | Disability             | English Language Arts<br>Science, Mathematics |

|         |         |                        |   |
|---------|---------|------------------------|---|
|         |         |                        | Social Studies  |
| 09-0849 | Deny    | Disability             | Science<br>Social Studies   |
| 09-0850 | Deny    | Disability             | English Language Arts<br>Science, Writing                         |
| 09-0862 | Deny    | Hardship<br>Disability | Mathematics<br>Science  |
| 09-0866 | Deny    | Hardship               | Science   |
| 09-0867 | Deny    | Hardship<br>Disability | Science<br>Social Studies   |
| 09-0868 | Deny    | Disability             | English Language Arts,<br>Mathematics, Social Studies,<br>Writing |
| 09-0869 | Deny    | Disability             | All Sections  |
| 09-0870 | Deny    | Disability             | Social Studies  |
| 09-0871 | Deny    | Disability             | Science   |
| 09-0872 | Deny    | Hardship               | Science<br>Social Studies   |
| 09-0882 | Deny    | Disability             | Writing   |
| 09-0883 | Deny    | Disability             | English Language Arts<br>Mathematics, Social Studies<br>Writing   |
| 09-0884 | Deny    | Disability             | Mathematics, Science<br>Writing                                   |
| 09-0885 | Approve | Hardship<br>Disability | Writing   |
| 09-0896 | Deny    | Disability             | Science<br>Mathematics  |
| 09-0897 | Deny    | Disability             | Science<br>Mathematics  |
| 09-0899 | Deny    | Hardship               | Science<br>Social Studies   |
| 09-0900 | Deny    | Hardship               | Social Studies  |
| 09-0901 | Deny    | Disability             | Science   |
| 09-0902 | Deny    | Disability             | All Sections  |
| 09-0908 | Approve | Hardship<br>Disability | Mathematics   |
| 09-0909 | Deny    | Hardship               | English Language Arts<br>Science                                  |
| 09-0910 | Approve | Hardship<br>Disability | Science   |
| 09-0912 | Deny    | Disability             | Social Studies  |
| 09-0913 | Deny    | Disability             | Writing   |

|         |         |                        |   |
|---------|---------|------------------------|---|
| 09-0914 | Deny    | Disability             | Science, Mathematics<br>Social Studies  |
| 09-0915 | Deny    | Disability             | Science<br>Social Studies               |
| 09-0916 | Deny    | Disability             | Science<br>Writing                      |
| 09-0917 | Deny    | Disability             | English Language Arts                   |
| 09-0918 | Deny    | Disability             | English Language Arts                   |
| 09-0919 | Deny    | Disability             | All Sections                            |
| 09-0926 | Deny    | Hardship               | Science                                 |
| 09-0927 | Deny    | Disability             | Science<br>Social Studies               |
| 09-0930 | Deny    | Hardship<br>Disability | Mathematics, Social Studies<br>Science  |
| 09-0931 | Deny    | Hardship               | Writing                                 |
| 09-0932 | Deny    | Disability             | English Language Arts                   |
| 09-0933 | Approve | Disability             | English Language Arts                   |
| 09-0934 | Deny    | Disability             | Social Studies                          |
| 09-0935 | Approve | Hardship<br>Disability | Writing                                 |
| 09-0936 | Deny    | Disability             | Mathematics, Social Studies<br>Writing  |
| 09-0938 | Deny    | Hardship<br>Disability | Writing                                 |
| 09-0939 | Deny    | Disability             | All Sections                            |
| 09-0940 | Deny    | Disability             | All Sections                            |
| 09-0941 | Deny    | Disability             | Mathematics                             |
| 09-0942 | Deny    | Disability             | Mathematics                             |
| 09-0944 | Deny    | Disability             | Writing                                 |
| 09-0945 | Deny    | Disability             | English Language Arts<br>Writing        |
| 09-0946 | Approve | Disability             | Writing                                 |
| 09-0947 | Deny    | Disability             | English Language Arts<br>Social Studies |
| 09-0948 | Deny    | Disability             | Mathematics                             |
| 09-0954 | Deny    | Hardship               | English Language Arts                   |
| 09-0955 | Deny    | Disability             | English Language Arts<br>Writing        |
| 09-0956 | Deny    | Hardship               | Mathematics                             |
| 09-0957 | Deny    | Hardship               | English Language Arts<br>Mathematics    |
| 09-0958 | Approve | Hardship               | Social Studies                          |
| 09-0959 | Deny    | Disability             | Science                                 |

|         |         |                        |   |
|---------|---------|------------------------|---|
| 09-0960 | Deny    | Disability             | English Language Arts<br>Science                                |
| 09-0978 | Deny    | Disability             | English Language Arts<br>Science, Social Studies<br>Writing     |
| 09-0979 | Deny    | Disability             | English Language Arts<br>Science, Social Studies<br>Writing     |
| 09-0980 | Deny    | Disability             | All Sections  |
| 09-0981 | Approve | Disability             | Writing   |
| 09-0982 | Deny    | Hardship               | Social Studies  |
| 09-0983 | Deny    | Hardship               | English Language Arts   |
| 09-0984 | Deny    | Hardship<br>Disability | Mathematics, Science<br>Social Studies                          |
| 09-0986 | Deny    | Disability             | English Language Arts   |
| 09-0988 | Deny    | Hardship               | Social Studies  |
| 09-0989 | Deny    | Hardship               | Mathematics   |
| 09-0990 | Deny    | Hardship               | Science   |
| 09-0991 | Deny    | Hardship               | English Language Arts<br>Social Studies                         |
| 09-0992 | Deny    | Hardship               | Science, Social Studies<br>Writing                              |
| 09-0993 | Deny    | Hardship               | Mathematics   |
| 09-0994 | Deny    | Disability             | Social Studies  |
| 09-0995 | Deny    | Disability             | Social Studies  |
| 09-0996 | Deny    | Disability             | Mathematics, Social Studies<br>English Language Arts<br>Writing |
| 09-0997 | Deny    | Disability             | Social Studies  |
| 09-0998 | Deny    | Disability             | English Language Arts<br>Writing                                |
| 09-0999 | Deny    | Disability             | Mathematics   |
| 09-1000 | Deny    | Disability             | Writing   |
| 09-1001 | Deny    | Disability             | English Language Arts<br>Mathematics, Science<br>Social Studies |
| 09-1002 | Deny    | Disability             | English Language Arts<br>Science, Social Studies                |
| 09-1003 | Deny    | Disability             | Mathematics   |
| 09-1004 | Deny    | Hardship<br>Disability | Social Studies  |
| 09-1005 | Approve | Hardship               | English Language Arts   |
| 09-1006 | Approve | Hardship               | Social Studies  |

20. 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 #  | Area(s) of Request                | Date of Original Denial Decision | Current Recommendation |
|---------|-----------------------------------|----------------------------------|------------------------|
| 09-0292 | Science                           | 12/11/2008                       | Deny                   |
| 09-0677 | Science,<br>English Language Arts | 3/12/2009                        | Deny                   |
| 09-0831 | Science                           | 6/12/2008                        | Approve                |
| 09-0890 | All sections                      | 7/10/2008                        | Deny                   |
| 09-0895 | Social Studies                    | 8/10/2006                        | Deny                   |
| 09-0925 | Science                           | 7/10/2008                        | Deny                   |

21. Case No. 2009-30. H.S. v. Cobb County Board of Education. Sustained the Local Board’s decision.
22. Case No. 2009-36. I. W. v. Henry County Board of Education. Sustained the Local Board’s decision.
23. Case No. 2009-37. S.H. v. Henry County Board of Education. Sustained the Local Board’s decision.
24. Case No. 2009-38. C.W. v. Henry County Board of Education. Appeal was dismissed.
25. Case No. 2009-39. C.S. v. Henry County Board of Education. Appeal was dismissed.
26. Case No. 2009-41. A.K. v. Bryan County Board of Education. Appeal was dismissed.
27. Waiver Request – Case 09-0774 – Georgia High School Writing Test. Approved the request for a waiver of the Georgia High School Writing Test for the student identified as Case 09-0774.
28. Minutes –April 2, 2009 State Board Meeting. Approved the minutes of the April 2, 2009 State Board meeting.
29. Minutes – April 28, 2009 Called State Board Meeting. Approved the minutes of the April 28, 2009 Called State Board meeting.

## **EXECUTIVE SESSION ACTIONS**

1. Case No. 2009-34. J.D. v. Savannah-Chatham County Board of Education. By motion of Mr. Bryant, seconded by Dr. Bostic, a unanimous affirmative vote was given to reverse the Local Board's decision.
2. Case No. 2009-35. Uliana Gancea v. Atlanta City Board of Education. By motion of Mr. Bryant, seconded by Dr. Bostic, a unanimous affirmative vote was given to reverse the Local Board's decision and the case remanded back to the Local Board.
3. Waiver Request – Case 09-0808 – Georgia High School Graduation Tests. By motion of Mr. Bryant, seconded by Dr. Bostic, a unanimous affirmative vote was given to approve the request for a waiver of the science portion of the Georgia High School Graduation Tests for the student identified as Case 09-0808.
4. Waiver Request – Case 09-0830 – Georgia High School Graduation Tests. By motion of Mr. Bryant, seconded by Dr. Bostic, an affirmative vote was given to approve the request for a waiver of the mathematics portion of the Georgia High School Graduation Tests for the student identified as Case 09-0830, with Dr. Ragsdale voting no.
5. Waiver Request – Case 09-0987 – Georgia High School Graduation Tests. By motion of Mr. Bryant, seconded by Dr. Bostic, an affirmative vote was given to approve the request for a waiver of the writing portion of the Georgia High School Graduation Tests for the student identified as Case 09-0987, with Mr. Burdette, Mr. Law and Mrs. Zechmann voting no.
6. Waiver Request – Case 09-1007 – Georgia High School Graduation Tests. By motion of Mr. Bryant, seconded by Dr. Bostic, an affirmative vote was given to approve the request for a waiver of the social studies portion of the Georgia High School Graduation Tests for the student identified as Case 09-1007, with Mr. Burdette, Mr. Law and Mrs. Zechmann voting no.
7. Waiver Request – Case 09-0813 – Georgia High School Graduation Test. By motion of Mr. Bryant, seconded by Dr. Bostic, an affirmative vote was given to approve the request for a waiver of the Science portion of the Georgia High School Graduation Test for the student identified as Case 09-0813, with Mr. Burdette, Mr. Law, Mr. Hodge, Dr. Ragsdale, and Mr. Winter voting no. (7 yes, 5 no)

## **POLICY/RULES COMMITTEE ITEMS**

1. Rule 160-4-9-.04 CHARTER SCHOOLS (Adoption). By motion of Mrs. Zechmann, seconded by Mr. Law, a unanimous affirmative vote was given to adopt State Board of Education Rule 160-4-9-.04 CHARTER SCHOOLS.



3. 2009 Audit Committee. Chair Barrs indicated it was her intent to appoint a Audit Committee as a standing committee of the State Board of Education. The membership of the committee shall be comprised of Jim Bostic, Al Hodge, Buzz Law, and Larry Winter, with Larry Winter to serve as chair. While the State Superintendent has the authority under our By-Laws to assign a Georgia Department of Education staff member to serve as Ex-Officio Secretary of the Committee, Chair Barrs asked that Superintendent Cox serve in that capacity for the remainder of this year. The Audit Committee shall oversee the work of the Internal Audit Manager, and review, on an ongoing basis, significant internal audit findings and recommendations, the State Auditory audit findings and recommendations, and all other significant audit findings and recommendations. In each review undertaken, the Audit Committee shall likewise review the corrective actions necessary to address the findings and recommendations.

### **Adjournment**

At 11:35 a.m., by motion of Mr. Bryant, seconded by Dr. Ragsdale, 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 June 11, 2009.

Lynn Roberts, Recorder