

THE SCHOOL BOARD OF ALACHUA COUNTY, FLORIDA
APPROVED MINUTES OF REGULAR BOARD MEETING
August 5, 2003

The School Board of Alachua County, Florida, met in regular session duly called at 6 p.m. in the Boardroom, 620 East University Avenue, Gainesville, Florida. Present were: Jeannine M. Cawthon, chairman; Barbara J. Sharpe, vice-chairman; Virginia S. Childs, F. Wesley Eubank and Tina Turner, members; Sandy Hollinger, deputy superintendent, and James F. Lang, attorney for the Board. Mary L. Chambers, superintendent, absent.

The meeting was called to order by Chairman Cawthon, followed by the Pledge of Allegiance to the Flag.

APPROVAL OF
MINUTES

Motion by Mrs. Turner

Seconded by Mrs. Childs

Moved to approve the minutes of July 14, 2003, and special meeting of July 22, 2003, as presented.

The question was called.

Upon Vote: Motion passed 5-0

ADOPTION OF AGENDA

Motion by Mrs. Sharpe

Seconded by Mr. Eubank

Moved to adopt the agenda for the meeting of August 5, 2003, as presented.

Add as Action item H. 6., Restoration of Less Than Two-Mile Courtesy Busing, and delete Consent Agenda item I. 15, Lease Agreement with DeSoto Charter High School.

The question was called on the agenda as amended.

Upon Vote: Motion passed 5-0

BOARD MEMBER/
SUPERINTENDENT
ANNOUNCEMENTS

The Board expressed their condolences to the family and friends of former School Board member Dr. Eugene Todd and acknowledged his service to the school system and the University of Florida.

CITIZEN INPUT

Several citizens addressed the Board with the following suggestions:

- Urged the Board to provide sufficient information to the public in a timely manner and make decisions that are in the best interest of students.
- Voiced opposition to the inclusion of cell phones and pagers in the Code of Conduct due to the increase in the number of disruptions and student violations.

PRESENTATION(S)/
REPORT(S)

Zoning Update

Staff provided an update on the zoning timelines.

Budgeting/Financial Update

Staff provided a budget/financial update and noted that the Board approved the tentative 2003-2004 budget and millage at the July 31, 2003, public budget hearing, which now authorizes expenditures and hiring in preparation for the 2003-2004 school year. Staff announced that eligible teachers can expect a one (1) step increase in their August 29, 2003, paychecks. A final budget hearing will be held September 16, 2003, to adopt the budget.

HEALTHY
COMMUNITY
INITIATIVE ON
RECREATION

Motion by Mr. Eubank

Seconded by Mrs. Childs

Moved to approve in concept the Alachua County Coordinating Council and schedule a workshop for discussion.

A citizen urged the Board to support the creation of a coordinating council for recreation.

The Board will coordinate calendars and schedule a workshop in the near future to discuss the issue further.

The question was called.

Upon Vote: Motion passed 5-0

The regular Board meeting was recessed and a Public Hearing convened.

PUBLIC HEARING—TO
CONSIDER
AMENDMENTS TO THE
2003-2004 PUPIL
PROGRESSION PLAN

Staff reviewed the changes to the 2003-2004 Pupil Progression Plan and noted that an additional change is proposed relating to the criteria for high school students to use for receiving an Academic Improvement Plan (AIP).

A citizen urged the Board to include as a priority in their 2003-2004 Legislative Program the repeal of the 18-credit option requirement for high school students.

The Public Hearing was adjourned and the regular Board meeting reconvened.

AMENDMENT TO
POLICY 6.03,
EMPLOYMENT OF
PERSONNEL—SECOND
READING

A public hearing was held July 14, 2003, to consider amendments to Policy 6.03, Employment of Personnel.

Motion by Mrs. Childs

Seconded by Mrs. Turner

Moved the administration's recommendation to adopt Policy 6.03, Employment of Personnel, as amended.

Dr. Gunnar Paulson, president, ACEA, referred to Policy 6.03,

Employment of Personnel, and expressed his disappointment with the approval of the policy amendment.

The question was called.

Upon Vote: Motion passed 5-0

CODE OF STUDENT
CONDUCT, 2003-2004—
SECOND READING

A public hearing was held July 14, 2003, to consider revisions to the 2003-2004 Code of Student Conduct as revised.

Staff reviewed the six proposed changes recommended by the Superintendent's Committee on Student Discipline:

- Parent and Student Acknowledgement explaining directory assistance.
- Directory adding additional information for students with disabilities.
- Student Responsibilities, Rights, Rules and clarifying the dress code.
- Reflect Horizon Center name change.
- Changes to the Florida state code.
- Changes to the cell phone policy, which allows students to be in possession of cell phones or pagers, but they must not be visible and must be turned off during school hours. If they create a disruption, the cell phones and pagers will be confiscated and returned to the student's parent or guardian. The Board is not responsible for lost, stolen or damaged cell phones and pagers.

Motion by Mr. Eubank

Seconded by Mrs. Childs

Moved to approve the 2003-2004 Code of Student Conduct as revised.

Mrs. Childs suggested stronger language be added to read: "The privilege of possessing a cell phone or pager may be revoked, and students shall also be subject to disciplinary action."

Mrs. Sharpe stated that she was previously opposed to students being in possession of cellular phones and is still against it because it is a potential for disruption. She believes teachers already have plenty to do and sees it as another discipline problem. She feels that some students will be responsible with their cell phones, but others will not. She pointed out that there are students who are in possession of cell phones and pagers at this time who should not have them, and there is a potential for gang activity and disruption. She noted that there are phones available in the front offices for students to use in case of an emergency, and she will vote against this item.

Chairman Cawthon expressed concern that allowing cell phones will create additional work for teachers, and suggested getting input from

them. She also expressed concern that some school offices may not provide students with access to a phone.

Mrs. Childs also expressed concern that students may not have access to telephones in school offices during after-school activities and emergencies.

Mrs. Sharpe feels that if students are allowed to carry cell phones and pagers the district is not in control--students are. If there is a management problem that needs to be corrected, it is incumbent upon the Board to correct the problem as opposed to making changes without taking care of the problem. She requested that schools manage office phones appropriately in order to allow students access after school hours.

Mrs. Turner stated that cell phones make it safer for students to get in touch with their parents after school.

Several parents addressed the Board in support of allowing students to possess cell phones and pagers.

A teacher addressed the Board opposed to the recommended language of allowing students to be in possession of cell phones and pagers. Pointed out that it would add an additional responsibility to teachers who are already over burdened.

Board members requested staff work with principals to answer phones at the end of the school day and make them available to students.

Mr. Jim Lang, Board attorney, informed the Board that since Mrs. Childs did not recommend the additional language during the rulemaking process (first reading and public hearing) it would not be possible to add the new language at this time.

The question was called.

Upon Vote: Motion passed 3-2
Yes: Mrs. Childs
Mr. Eubank
Mrs. Turner
No: Mrs. Cawthon
Mrs. Sharpe

Mrs. Childs asked that her amendment be presented at a future meeting.

ALTERNATIVE
CERTIFICATION

Florida Statute 1012.56(7) requires that each school district provide a Competency-based Alternative Certification Program, which allows

PROGRAM

instructional staff members to satisfy the competency requirements specified by State Board Rules.

Motion by Mrs. Sharpe

Seconded by Mrs. Turner

Moved the administration's recommendation to approve the Alternative Certification Program.

Mrs. Hollinger, deputy superintendent, informed the Board that a committee composed of principals, district staff and ACEA members worked for two years to develop this criteria.

The question was called.

Upon Vote: Motion passed 5-0

STUDENT CASE
NO. 03-08-HC

Mr. Jim Robinson, staff attorney, reported that the student was reassigned to the Alternative Center as the result of a history of disruptive behavior. A hearing was held on April 28, 2003, and no exceptions were filed.

Motion by Mrs. Sharpe

Seconded by Mrs. Turner

Moved the hearing agent's recommendation to confirm the student's reassignment to the Alternative Center.

The question was called.

Upon Vote: Motion passed 5-0

STUDENT CASE
NO. 03-11-HC

Mr. Robinson reported that the student was reassigned to the Alternative Center as the result of a history of disruptive behavior. A hearing was held May 28, 2003, and no exceptions were filed.

Motion by Mr. Eubank

Seconded by Mrs. Sharpe

Moved the hearing agent's recommendation to confirm the student's reassignment to the Alternative Center.

The question was called.

Upon Vote: Motion passed 5-0

RESTORATION OF LESS
THAN TWO-MILE
COURTESY BUSING

Chairman Cawthon stated that based upon public comment received since the July 14 Board meeting, good cause exists for amending the agenda and adding as an action item the consideration of whether to rescind the Board's previous action eliminating the less than two-mile courtesy busing.

Motion by Mr. Eubank

Seconded by Mrs. Turner

Moved to rescind the Board's previous action July 14, 2003, to

eliminate less than two-mile busing.

Mr. Eubank stated that he agrees totally with the principle that was behind the Board's initial decision regarding courtesy busing. Past practice, which has been in violation of Board policy, has not been applied evenly to all students and has resulted in situations where students are asked to walk in one situation and are provided transportation in another. He still supports the concept of applying the Board's policy fairly across the Board. He noted that Board members have received many telephone calls and email regarding this issue and after further investigation, he found there were several issues that were not adequately addressed:

- The issue was brought up at a March 12 Board workshop; however, action was not taken nor was the public made aware until less than four weeks before school begins, which does not provide parents with adequate time to make adjustments.
- Florida Statute 1006.23 states that school boards and other governmental entities should work cooperatively to identify conditions that are hazardous along student walking routes to school, and that school boards should provide transportation to students who would be subjected to such conditions. It is further intended that state or local governmental entities having jurisdiction correct such hazardous conditions within a reasonable period of time.
- The Board has worked very hard trying to develop a new level of cooperation among the various governmental entities in the county and as far as he is aware there was no other agency involved in determining the hazardous conditions during the last few weeks.
- He verified that the Alachua County Sheriff's Office estimates that hiring additional crossing guards will take at least 30 days and will cost \$50,000, which is greater than the savings of \$30,000. The Gainesville Police Department may also have to spend an additional \$70,000.

He does not feel that the Board followed the spirit, nor the letter of the statute in allowing these agencies a reasonable period of time to adjust to the elimination of courtesy busing. He also believes that erroneous notification letters were sent to parents informing them that their busing was being eliminated.

Due to lack of time for parents and other governmental entities to plan for these changes, he suggested that the Board rescind the prior decision and request Superintendent Chambers have staff investigate this issue in more detail, and work with these agencies to develop a recommendation in early November.

Mrs. Sharpe stated that she voted to continue courtesy busing at the last Board meeting and was outvoted 4-1 and will vote again at this meeting if that is the will of the Board for courtesy busing to continue. She is concerned with the safety issue and there are so many things that can happen to these children, such as abductions. She is aware that Florida statutes dictates the two-mile rule and statutes change from day to day, but common sense has to prevail everyday. The district has to look out for the safety of students, whether it saves \$30,000 or \$75,000, the safety issue of these students is first in her mind. She is speaking for herself as a lone board member appealing to staff whenever this issue is brought back, to ensure that safety is a factor.

Mrs. Turner stated that in response to numerous phone calls and a request by Mr. Eubank to reexamine the courtesy busing issue, she has given this decision a great deal of thought. As a new board member her decisions in the operations of the school system are highly dependent upon the state. However, this does not preempt the fact that the ultimate responsibility of the education and well being of children lies with the parents. For example, the state gives the district the formula for determining how some families can qualify for free and reduced lunch and breakfast. If a family does not qualify, parents are responsible for making the decision about either packing a lunch for their child, or purchasing a school lunch for their child, and the same applies for busing. The state mandates that the district provide transportation for those individuals who live outside the two-mile radius from their school. Parents who do not qualify must decide as to how their children will get to school. About 13,500 students in the county live within two miles of their school and past Boards have allowed approximately 12% of these students to receive a courtesy bus ride to school. The other 88% of students have been forced to provide their own transportation to school. These children may walk, ride bikes, or carpool, and many of them live farther away from school than those affected by this decision.

She stated that it is not a \$30,000 issue to her—it is an issue of being fair to the other 12,000 students who are not receiving this courtesy. As the Board adopts the rezoning policy, she believes that most of the families that live within a two mile radius of their school are going to be the most secure in their school, but there is a trade-off with living within two miles of your school—you must provide your own transportation.

Her devotion to children and their safety is why she ran for School Board. As a Board member she cannot, nor will she assume the basic responsibilities of a parent, but she will do everything in her power to ensure that the children of Alachua County receive the best education

possible in a safe and nurturing environment.

She supports delaying this decision and would like to see if this can be taken care of by the beginning of the second semester, in order to make sure that these children have a safe route in which to get to school. She stated that until the Board reviews the policy, she feels strongly that the district needs to be fair to everyone, and she is trying to be fair to the other 12,000 students who are not receiving the same courtesy.

Mr. Eubank supports in concept the Board's original decision primarily because it was not fair to everyone, is in violation of Board policy and should never have been allowed to continue for more than two decades. He also believes in parental responsibility. The law states that the district will work with the other governmental entities to resolve the issue and the state will pay for busing until the issue is resolved. There may be cases where children may be walking in hazardous conditions, and there may be simple solutions that can be implemented, but the district must work with other agencies and resolve these issues.

Mrs. Childs stated that she supports the previous vote to eliminate courtesy busing because it was the right decision for the students in the district. The reason is because of what the district is not able to do due to courtesy busing being extended. If the district eliminates courtesy busing, it would allow the district to get a large number of students to school on time that are currently not getting there because of long bus rides. Also, due to the low number of buses and drivers these buses are making two to three runs. The elimination of courtesy busing would have allowed the district to transport students in a timely fashion and shorten runs, which are continuous complaints the Board receives, and this was a move in that direction.

She is not opposed to delaying the decision, but by delaying she does not want the public to feel that they do not have to worry about it. It is not an entitlement, but a privilege that the Board has been able to extend in the past, but now is the time of tightening belts and using money wisely. She suggested that as the Board reviews the new zone lines the two mile limit is not what should be used as a neighborhood school if that two mile limit has in it what the public considers hazardous walking conditions. She suggested looking at neighborhoods where it is easy for kids to walk. She believes it is the responsibility of the parents to choose how their children get to school.

She expressed concern that this decision would be delayed for a lengthy period of time and believes the Board should move as quickly as possible, and suggested the second semester. She is concerned because she does not agree with the state's definition of hazardous

walking conditions and requested staff look at the conditions and determine whether they are convenience issues for parents, or if they are hazardous conditions for children (hazard vs. convenience.) She wishes the Board could provide convenience for parents, but there is not sufficient money.

Mrs. Sharpe stated that there are several issues to be considered: (1) traffic issue for parents who can afford to drive their children to school; (2) parents who cannot drive their children to school and depend on courtesy busing; and (3) student safety.

She believes that there are some Florida statutes that need to be changed, but it is up to the Board to provide safety and do what is best for students.

Mr. Jack Shelton, director, Transportation, reported that many counties are eliminating courtesy busing due to OPPAGA review. He stated that the district did work with other agencies, but feels that if the Board were to delay this decision for a year it would allow the district to work with other agencies to review hazardous areas and hire and train additional crossing guards.

Mrs. Sharpe pointed out that OPPAGA may be eliminated.

Mr. Eubank stated that the district must work together with the other agencies and assist with the costs involved.

Several parents addressed the Board and expressed their support of delaying the decision for one year in order to allow parents time to plan and time for the district to work with all the agencies involved to review hazardous walking areas. The Board was also urged to review the policy and ensure student safety.

Mrs. Turner stated that she does not believe that the school system does not have responsibility for providing a safe environment for students, what she is saying is that if this service cannot be provided to all students, it is a parent's responsibility to get their children to school.

Mr. Eubank stated this is a fairness issue and the Board is responsible for applying the policy fairly to everyone. The Board does not want to put children at risk and will be fair to everyone when reconsidering.

The question was called. Upon Vote: Motion passed 5-0

CONSENT AGENDA

Motion by Mrs. Sharpe

Seconded by Mr. Eubank

Moved to approve the consent agenda as described in items 1-14, with

the deletion of item 15. (See Supplementary Minutes Book.)

The question was called. Upon Vote: Motion passed 5-0

CITIZEN INPUT (cont'd)

Dr. Gunnar Paulson expressed his admiration of former board member Dr. Eugene Todd and expressed condolences to his family.

BOARD MEMBERS/
SUPERINTENDENT
REQUESTS

Mrs. Childs requested the following:

- Staff provide an update/report in October on the number of students selecting the 18-credit option.
Staff work with governmental agencies (ASO, GPD, City and County) to determine hazardous walking areas/conditions and report back to the board with a plan.

Mrs. Sharpe requested that schools manage their office phones appropriately in order to allow students access after school hours.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.