

CONSENT AGENDA

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent’s recommendation to approve the Consent Agenda as described in items 1 – 10.

The question was called on the Consent Agenda as presented.

Upon Vote: Motion passed 5-0

AMENDMENTS TO
BOARD POLICIES AND
ADOPTION OF NEW
POLICY 8141,
*MANDATORY REPORTING
OF MISCONDUCT*
SECOND READING

The Board held a first reading of these policy changes on August 19, 2008. The policy changes reflect new ethics legislation [SB 1712; Ch 2008-108, L.O.F.] requiring school boards to adopt policies regarding misconduct by employees that affect the health, safety or welfare of students.

The only change since the first reading is in Policies 1120, Employment of Administrators; 3120, Employment of Instructional Staff; 4120, Employment of Support Staff, at page 2: “Qualifications and Duties . . . the employment history check shall include, but not be limited to, contacting each candidate’s previous employer and screening the candidate through the use of the screening tools described in State law.” This is to conform to the Florida Department of Education Technical Assistance Paper 2008-129, July 31, 2008.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent’s recommendation to approve the amendments to Board policies and adoption of new Policy 8141, *Mandatory Reporting of Misconduct*, as presented.

Mrs. Pinkoson would like to see mandatory reporting of good conduct.

The question was called.

Upon Vote: Motion passed 5-0

PROPOSED 2009-2010
SCHOOL CALENDAR—
SECOND READING

A public hearing was held on September 16, 2008, to consider the proposed 2009-2010 School Calendar, which was developed in collaboration with Ms. Gail Hotaling, ACEA Executive Committee.

Motion by Mrs. Pinkoson

Seconded by Mrs. Childs

Moved the Superintendent’s recommendation to adopt the 2009-2010 School Calendar as presented.

Mrs. Pinkoson pointed out that state statute prevents schools from starting more than two weeks prior to Labor Day.

The question was called.

Upon Vote: Motion passed 5-0

REVISIONS TO THE
2008-09 PUPIL
PROGRESSION PLAN
FIRST READING

In compliance with legislative requirements, revisions have been made to the 2008-2009 Pupil Progression Plan. Dr. Sandi Anusavice, Director of Secondary Curriculum, reviewed some of the changes and responded to Board member questions.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent's recommendation to schedule a public hearing for October 21, 2008, 6:30 p.m., regarding the proposed revisions to the 2008-2009 Pupil Progression Plan.

The question was called.

Upon Vote: Motion passed 5-0

APPLICATION FOR
CHARTER SCHOOL –
IMAGINE SCHOOL AT
ALACHUA,
LLC CHARTER SCHOOL

The Imagine School at Alachua, LLC Charter School, proposes to serve students in grades K-8. In year one, they propose to begin with grades K-6, adding grade 7 in year two and grade 8 in year three. The school intends to serve all ability levels, including ELL and ESE students. The Imagine School at Alachua has also applied for approval through the Florida Schools of Excellence Commission.

The Superintendent recommends that the Board approve the charter application for the Imagine School of Alachua, LLC Charter School, in concept, and authorize staff to develop a proposed charter contract.

Motion by Mrs. Childs

Seconded by Mr. Eubank

Moved to table this item until such time as the Board hears from the Florida Schools of Excellence Commission (FSEC).

Mr. Eubank stated that he feels the Board's normal approval process is not appropriate because Imagine Charter School chose to take an alternate route by going through the FSEC.

Mrs. Roy advised that Imagine Charter School consider the follow-up staff comments that were submitted in regard to their application.

Mrs. Childs perceives the application to the FSEC as being an attempt to circumvent the Board's role and believed the Board had previously determined that staff time should not be spent on considering applications submitted to the FSEC, and Mrs. Pinkoson suggested that the Policy be changed to reflect that.

Mr. Carl Huber, Imagine Charter School, stated that their application was submitted to the FSEC only because the law requires that a charter application be reviewed simultaneously by the District and the Commission, in order to retain specific rights of appeal. He expressed regret if this was not properly conveyed to the Board and staff.

The staff attorney confirmed Mr. Huber's account of the law, and Mr. Huber requested the Board's timely consideration so the school can open in August 2009. Given the Board's perception, he offered to

withdraw Imagine's application to the FSEC. Mr. Huber also assured Mr. Eubank that the school will respond to the issues that School Board staff has commented on.

Mrs. Pinkoson stated that she preferred that Imagine School not withdraw their application from FSEC.

Unrelated to the Imagine application, Mr. Eubank brought up the inappropriate use of unencumbered funds upon the recent closing of another Charter School, including the awarding of severance pay. He requested clarification of appropriate use of unencumbered funds. He stated that full reimbursement of transportation costs needs to be made.

Dr. Gunnar Paulson, President, ACEA, expressed that Imagine should be made to wait on Board consideration of their application, commenting that charter schools take money away from public schools. Mrs. Pinkoson agreed. Realizing there was a misunderstanding concerning the application process, Mr. Eubank referred to the Board's past practice of Charter approval.

A parent/citizen inquired about Imagine's operational costs.

Mrs. Childs commented on the national trend that she views as taking away a free public education for all students, partly through the establishment of charter schools. Mrs. Roy concurred with Mrs. Child's comments but pointed out that the Imagine application was properly handled.

The Chairman summarized that discussion has indicated that the Board wishes this item to be taken from the table at the next meeting, which is October 21, 2008.

The question was called.

Upon Vote: Motion passed 4-1

Yes: Childs
Eubank
Roy
Williams

No: Pinkoson

DISTRICT FACILITIES FIVE-YEAR WORK PROGRAM

This program has been prepared as required for submission to the Department of Education. It represents a five-year schedule of major repair, renovation and capital outlay projects, together with projections of available revenue. The District must submit this program annually and may revise it at any time to reflect new project priorities and available revenue.

Mr. Ed Gable, Executive Director, Facilities, summarized the document and noted that it is a planning tool, not a commitment of funds. He provided a packet to each Board member. He also affirmed to Mrs. Childs that the purpose of any design service is to secure a prototype for later use. At a question from Mrs. Roy, Mr. Gable confirmed that the COPS source of additional revenue would be a new issuance of COPS, not an existing issue.

Mrs. Childs cautioned that schools should not look at this document as a guarantee of what projects will be completed as designated. Each year, needs and priorities must be weighed.

Mr. Eubank commented on the detrimental effect the financial situation would have on the possibility of a COPS issuance. He cautioned against expectations being unduly raised for completion of projects contained in this document.

Mr. Gable pointed out that this document is developed as a requirement of the state. He recommended that the Board hold a workshop on specific aspects, particularly COPS and capacity projects for new schools.

Mrs. Williams expressed thanks to Mr. Gable and staff for the detailed document.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent's recommendation to approve the Five-Year Work Program for submission to the Department of Education.

Mr. Eubank expressed appreciation to staff, commending the easier-to-follow format. Mrs. Roy concurred.

Mrs. Roy conveyed that she found some of the projected capacity figures to be astounding. Acknowledging those figures, Mr. Gable noted that the plan includes some space that the District feels should not be included (i.e., portables), resulting in some of the numbers being somewhat skewed. Mrs. Roy requested that the matter of school capacity be discussed in the upcoming Long-Range Planning workshop.

It was noted that priorities are normally considered in February each year.

Mr. Eubank commented that potential charter enrollment for Gainesville Arts and Technology Academy and Imagine, may alter projected plans for some schools.

Mrs. Roy questioned whether a school district has authority to deny a charter, if they provide services that are already being provided by the District. She feels that the state is becoming more and more lenient with requirements for charters and she would be willing to be part of a lawsuit to challenge this. Mr. Eubank stated that the law is written for charters, to make it as difficult as possible to deny them and not have it appealed.

Dr. Paulson thinks it should be made as difficult as possible for charters that cannot show a need in the district. He stated that we are in crisis mode and should use everything at our disposal to help keep the money in our District.

The question was called.

Upon Vote: Motion passed 5-0

CITIZEN INPUT

A District employee stated that she is pleased to see parents speaking out against charter schools. She expressed agreement with Dr. Paulson that we should not be a District that is friendly to charter-schools. She reported that she has seen several students that have been in charter schools throughout the elementary level who have come to sixth grade being unable to read and lacking in homework and study skills.

INFORMATION ITEM

LOVE TO LEARN
CHARTER SCHOOL
FINANCIAL UPDATE

Mr. Scott Ward, Chief Financial Officer, presented a financial update of Love to Learn Charter School, including information on severance payments made to school staff upon the Board ordering it to be closed.

Mr. Eubank suggested the possibility of requesting an attorney general's opinion on whether the severance pay is legal. Mrs. Childs, Mrs. Pinkoson and Mrs. Roy expressed their agreement with pursuing any possible legal avenues to challenge the school's financial actions.

Mr. Eubank questioned what date would be considered the legal date of the school closing, since the Board voted on May 6. He also questioned whether Love to Learn had legally noticed the meeting wherein their financial decisions were made.

Mr. Ward informed the Board that the Board's effective date for the school closing was August 11, 2008, because of state requirements for due notice.

Mr. Ward continued his presentation, reviewing expenditures that included moving services (although the Facilities Department picked up the property), disputed bills and unexpected bills. Detailed records for September are expected to be received by October 20, and a more in-depth review will be made at that time.

It was reported that the school's two vans were purchased by the principal and then leased to the school. The vans remain the property of the principal. Mrs. Childs requested information on expenditures for the van leases.

The Superintendent stated that, in view of the Board's comments, he will proceed with legal action, upon the advice of counsel.

Mrs. Childs requested that future charter contracts be written so the types of expenditures made with Love to Learn cannot be repeated.

BOARD MEMBER/
SUPERINTENDENT
REQUESTS

Mrs. Childs noted Board member agreement on the effect of charter schools on public education.

ADJOURNMENT

The Chairman declared the meeting adjourned at 8:15 p.m.