

THE SCHOOL BOARD OF ALACHUA COUNTY, FLORIDA
APPROVED MINUTES OF REGULAR BOARD MEETING
May 4, 1999

The School Board of Alachua County, Florida, met in regular session duly called at 7 p.m. in the Boardroom, 620 East University Avenue, Gainesville, Florida. Present were: Bill Cake, chairman; Barbara Sharpe, vice-chairman; Judy Brashear, Bev Carroll, and Chester Leathers, members; Lawrence Marazza, superintendent; and James F. Lang, attorney for the Board.

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

**APPROVAL OF
MINUTES**

Motion by Dr. Leathers

Seconded by Mrs. Sharpe

Moved to approve the minutes of April 20, 1999, as presented.

The question was called.

Upon Vote: Motion passed 5-0

ADOPTION OF AGENDA

Motion by Mrs. Carroll

Seconded by Mrs. Sharpe

Moved to adopt the agenda for the meeting of May 4, 1999, as presented.

Add to Action Item B.2.e., Student Cases, (5) Student Case No. 99-28-X. Consent Agenda, item 14, Federal Grant Application for Public Charter Schools, change the amount requested from \$70,000 to \$50,000 for The Expressions Learning Arts Academy.

The question was called on the agenda as amended.

Upon Vote: Motion passed 5-0

**BOARD MEMBERS/
SUPERINTENDENT
ANNOUNCEMENTS**

Mrs. Carroll announced that Teacher Appreciation Week is May 3-7 and noted several activities taking place to honor teachers. The Black-on-Black Crime Task Force will meet Wednesday, May 6, 5:30 p.m.

Board members announced the many activities and events they recently attended.

**RECOGNITION—
EASTSIDE HIGH
SCHOOL FRENCH CLUB
AND KEY CLUB**

Mr. Bill Herschleb, principal, Eastside High School, recognized Eastside's French Club and Key Club. The French Club won first place in the division, as well as overall in the State of Florida competition. The Key Club spent spring break in Orlando organizing the 61st Annual Key Club Convention and won first-place achievement award for the State, as well as Volunteer Group of the Year in the educational category.

CITIZEN INPUT

- A citizen and member of the School Violence Prevention Task Force presented an overview highlighting the activities and

development of the final task force report on school violence.

- A citizen reviewed statistical data related to discipline and student referrals and expressed dissatisfaction with the Behavioral Resource Teacher program.
- A representative from the Hippodrome Theater informed the Board of the successful play recently performed by Alachua County high school students dealing with teen violence. The Board was provided with a funding proposal describing the educational programs available through the Hippodrome Theater.

Mrs. Brashear requested Superintendent Marazza and staff inform principals and teachers of the programs available through the Hippodrome and suggested they be included as part of the arts/drama curriculum.

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

CONSIDER PROPOSED REVISIONS TO POLICIES

A former Board member presented the following suggestions for Board consideration:

Chapter 6.00 – Personnel

- Policy 6.132(12)—Opposes allowing employees returning to work following a rehabilitation program having a 24-hour advance notice prior to drug testing;
- Policy 6.141(3)—Opposes employees getting paid for being “on call”;

Chapter 7.00 – Business Services

- Policy 7.31(3)—Opposes the increase in Change Order approval by the Board from \$6,000 to \$15,000. Supports the Board being notified prior to staff hiring consultants.

Chapter 8.00 – Auxiliary Services

- Policy 8.221—Suggested approval of the first sentence and deletion of the rest and to mention in (b) the safety of children shall be of utmost concern in areas where road conditions and bridge capacities are questionable.
- Policy 8.224—Change wording to read: “Students may not leave the school bus at other than his or her customary stop without prior written approval by the student’s parent/guardian and the principal or designee.”
- Policy 8.53—Questioned the deletion of language in the current policy and suggested leaving the word ‘construction’ in the policy which would require that the total amount spent on “construction” for any particular contract would not exceed the \$25,000 set by the Board.

Mrs. Brashear recommended pulling the following two policies: Policy 2.411, Standards for School Improvement Plans -- need a discussion on gain scores; and Policy 2.43, School Advisory Councils Network – has not been in existence for several years and the Board may want to ease into it with a review of criteria.

Mrs. Carroll recommended pulling Policy 4.111, Graduation Exercises, which is directly opposite from what she requested. She recommends that only students who have met all graduation requirements be allowed to participate in their school’s graduation exercises and those students who have not earned the required credits, should be allowed to attend a summer graduation ceremony.

Mrs. Sharpe urged the Board to be careful in the handling of the policy for graduation exercises. She feels it is very important not to wait until the point of graduation to advise students they will not be allowed to walk. She suggested including a mechanism in the policy to notify parents in advance of graduation of what to expect and develop ways to get the information to parents.

It was noted that the new policy for graduation exercises would not take effect until next school year.

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

CITIZEN INPUT
(continued)

- A concerned citizen suggested the Board find a way of getting existing charter schools under control before granting any new charter schools.

Mrs. Sharpe stated that she is on record requesting a full report of the Chance Charter School pending receipt of the recommendations in the Department of Education report and the auditor’s report.

Following discussion the Board requested a workshop be scheduled within two weeks to discuss the Chance Charter School.

- A teacher referred to the Prevention of School Violence Task Force Report and pointed out that in order for the recommendations to be accomplished guidance personnel must be relieved of the paperwork that relates to testing, and teachers must have the time to get acquainted with their students, which is not possible due to large class sizes. The Board was urged to implement a hotline phone number where students can report other students who may be planning violence or carrying weapons on school campuses.
- A representative and parent from the Santa Fe High School Band thanked the Board for its support and the additional funding of the

arts/music programs.

- A parent expressed concern over the Board's decision to change the funding of the pupil/teacher ratio from 25-1 to 26-1.
- A parent from the Chance Charter School expressed their support of the staff and curriculum and stated that district staff has not been helpful in addressing concerns.
- A former Board member thanked the Board for the improvement in the newly revised policy manual, but expressed concern that the consulting firm is placing a copyright on the manual. It was suggested that the Board or the Board's foundation copyright the policy manual and sell it to other school districts as a model.
- A parent requested the Board hold a town meeting for parents and the community to discuss violence in the schools and suggested a hotline for rumors or threats in the schools.

Mrs. Sharpe stated that district staff has repeatedly assisted the staff at Chance Charter School to address problems and concerns and will continue to do so.

Mrs. Carroll also pointed out that district staff has been very helpful to the staff at Chance Charter School and has tried to help it be successful. She pointed out that until the Board receives all the audit reports, the school cannot be closed. When all the audit reports are submitted, the Board will make a final decision and do what is best for the children.

Dr. Leathers noted that there are two major dimensions of a charter school--the educational component and the management component--and both must work in order for the Chance Charter School to be successful.

REPORT—PREVENTION
OF SCHOOL VIOLENCE
TASK FORCE FINAL
REPORT

Dr. Charles Hall, Fort Clarke Middle School principal and co-chair of the Prevention of School Violence Task Force, presented a brief overview of the final report, which focused on Prevention, Intervention, and Crisis Management. Each subcommittee chair provided an overview of the rationale and recommendations and noted that all schools currently have plans and guidelines in place to deal with emergencies that may arise.

The Board commended the task force for a very thorough report.

Mrs. Brashear suggested that parents or citizens may begin to address their concerns with their school advisory councils.

Mrs. Carroll requested the Board schedule an evening workshop, before school ends, to allow the public the opportunity to discuss important

issues and concerns relating to school violence and discipline issues in the classroom. She requested Superintendent Marazza contact Seminole County and invite Wolfgang to come to Alachua County.

She presented several points to be considered for inclusion in the report:

- A Student Action Plan for gunshot drills;
- Identify safe rooms in every school and exits for student access areas outside the school;
- Post signs in school parking lots allowing law enforcement to search cars for guns and drugs in addition to lockers;
- Curriculum discussion in elementary schools on violence;
- High school students present the Board with a plan to address the issue of school uniforms and dress codes in middle and high schools;
- Hire security personnel;
- Hotline number for schools; and
- Add teachers to the Intervention Checklist.

Mrs. Sharpe stated that she strongly favors the need for school uniforms and noted that they also provide a way of identifying students from intruders on school campuses. She suggested implementing the use of uniforms beginning at the elementary level and moving up through middle and high school. She noted that currently Prairie View and Kanapaha have school uniforms and also suggested that charter schools begin using uniforms.

Superintendent Marazza reported that over the course of the past several weeks school district personnel have met with law enforcement officials (Gainesville Police Department and Alachua County Sheriff's Office) and have convened a crisis team to specifically develop strategies and recommendations relative to acts of violence in and around schools.

He noted that the crisis team will use the violence task force recommendations as a basis for developing a plan to present to the Board and urged the Board to dedicate energy and support for the allocation of resources to effectively deal with this problem.

Mrs. Carroll recommended principals meet this summer in order to begin implementation of the plan at the beginning of the school year and suggested teacher and school advisory council involvement.

A Title I teacher stated that the entire community needs to work together to effectively protect children and recommended a consistent elementary curriculum as the first step to prevention.

Dr. Donna Omer, supervisor, Project Development, informed the Board that the district is planning to implement the Second Step curriculum at the elementary level districtwide.

A representative addressed the Board on behalf of the Alachua County Medical Society and offered assistance with mental health and medical issues.

Motion by Mrs. Brashear Seconded by Mrs. Sharpe

Moved the superintendent’s recommendation that the Final Report of the Prevention of School Violence Task Force be accepted for consideration.

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

Superintendent Marazza requested the School Board allow staff to work through the crisis team recommendations, which will specifically define worst case scenarios with dollars attached. A comprehensive review will be required as soon as possible to consider the number of school resource officers and employment of forensic psychologists.

MASTER PLAN
PRESENTATION FOR
PROJECT SBAC CA732—
NEWBERRY HIGH
SCHOOL MASTER PLAN

A master plan presentation for Project SBAC CA732—Newberry High School was presented by Portal Architecture.

The Board commended the committee for creating an excellent master plan for Newberry High School.

Motion by Mrs. Brashear Seconded by Mrs. Sharpe

Moved the superintendent’s recommendation to approve the Master Plan for Newberry High School prepared by Portal Architecture, Gainesville, Florida, as presented.

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

BID AWARD FOR
PROJECT SBAC CA712—
SANTA FE HIGH
SCHOOL ACADEMY OF
VETERINARY
TECHNOLOGY AND
ANIMAL SCIENCE

Mr. Ed Gable, director, Facilities, reported that bids for the construction of this project were received on April 22, 1999.

Motion by Mrs. Sharpe Seconded by Mrs. Carroll

Moved that the Board accept the low base bid of \$455,846 and additive alternates Nos. 1, 2 and 4 in the amount of \$76,368 and award a contract for construction totaling \$532,214 to General Mechanical, Inc., of Daytona Beach, Florida, with completion of this project to be within 140 consecutive calendar days from the date indicated in “The Notice to Proceed.”

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

SCHOOL HOURS

Motion by Mrs. Sharpe Seconded by Mrs. Carroll

Moved the superintendent’s recommendation to adopt the School

Hours as presented.

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

CHARTER SCHOOL
CONTRACTS—THE
ALACHUA LEARNING
CENTER, INC.

Dr. Dan Boyd, assistant superintendent, Instruction, reported that a public hearing was held April 6, 1999, to consider the contracts for the following proposed charter schools:

The Alachua Learning Center, Inc.—A new charter school to serve grades K-8 in Alachua beginning with the 1999-2000 school year.

Motion by Mrs. Sharpe Seconded by

Moved the superintendent's recommendation to approve the contract for The Alachua Learning Center, Inc., Charter School as submitted.

Motion dies for lack of a second.

THE EXPRESSIONS
LEARNING ARTS
ACADEMY, INC.

The Expressions Learning Arts Academy, Inc.—A new charter school to serve grades 1-4 in Gainesville beginning with the 1999-2000 school year.

Motion by Mrs. Sharpe Seconded by Mrs. Carroll

Moved the superintendent's recommendation to approve the contract for The Expressions Learning Arts Academy, Inc., Charter School as submitted.

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

THE LOVE TO LEARN
EDUCATIONAL
CENTER, INC.

The Love to Learn Educational Center, Inc.—A new charter school to serve grades 1-3 in Gainesville beginning with the 1999-2000 school year.

Motion by Mrs. Sharpe Seconded by Mrs. Brashear

Moved the superintendent's recommendation to approve the contract for The Love to Learn Educational Center, Inc., Charter School as submitted.

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

THE EINSTEIN
MONTESSORI
SCHOOL, INC.

The Einstein Montessori School, Inc.—A new charter school to serve grades K-5 in Gainesville beginning with the 1999-2000 school year.

Motion by Mrs. Sharpe Seconded by Mrs. Carroll

Moved the superintendent's recommendation to approve the contract for The Einstein Montessori School, Inc., Charter School as submitted.

Mrs. Brashear noted that due to a conflict of interest, she will abstain

from voting and will fill out the proper paperwork. Brashear & Associates incorporated the school and may serve as its attorney.

The question was called. Upon Vote: Motion passed 4-0

Dr. Gunnar Paulson, president, ACEA, expressed several concerns with charter schools and specifically referred to the Alachua Learning Center charter school. He stated that it is against the law to take a private school and change it to a charter school. He expressed concern that the application indicated a religious affiliation.

Mr. David Coffey, attorney representing the Alachua Learning Center, urged the Board to adhere to the requirements of Florida law and reconsider the denial of his client's contract, which has been recommended for approval by Superintendent Marazza and the Board's attorney as having met all the requirements of Florida Law.

Mrs. Sharpe stated the following for the record:

Mr. Chairman: I moved the recommendation of the superintendent hoping that at least I could get a second, the courtesy of a second, so that we could at least discuss the pros and cons of this contract. I think it is only fair to the Alachua Learning Center and I think it is only fair to them to know why this Board took no further action. I think it is incumbent upon us to discuss this. It is only fair to let them know what it is that is standing in the way. I am here to tell you that I did not make up these rules, the DOE made these rules up. They called the shots on the contract, they called the shots on how charter schools are supposed to be set up. When we had a workshop on charter schools, I raised a question that has since been answered by the Alachua Learning Center. When I received the contract and some follow-up information, there was something in there that I noticed that there was going to be some single-sex classes. I had a question on that because I know that last year I was in a state where teachers had set up single-sex classes in math and science and I thought it was an excellent idea and I was going to bring it back here and try to present to our Board, but I had a general counselor from the Florida School Boards Association to check that out to see if could indeed happen. When she checked it out, she found out that someone had sued that state and they had to discontinue those classes. Well, when I mentioned that to Mr. Lewis and asked him to check with Mr. Wittmer and to check with Mr. Lang, I got an answer that said that the DOE was not sure about the separation of sexes for academic instruction in the upper grades, and they wanted to write something in writing to get something from a legal standpoint from the legal department. Well, the Alachua Learning Center then struck that from their... they will not have a policy on that and it is here in writing. So they have answered the concerns that I had and I'm saying that to say that they have met the requirement of

the law. Now, whether we like it, or whether we don't, we did not make those requirements and when a charter school meets them, what else is there for them to do? I asked them about their scope of their agricultural activity. They answered that for us. All of this is uncharted waters and it is the DOE and their haste to get charter schools going. If there is a weakness in their law, then they need to be the ones to straighten it out and if someone presents to us by way of contract, which is legally binding, then I don't see why we would balk on not approving this charter. If we did this charter, if we approve this charter according to the contract, which says that this school would be non-sectarian, that is our certificate of assurance according to the law that it will not be used for those purposes. Now, if we approve this contract, and find out that they are not doing what this binding contract calls for, then there is a remedy for that. We can close the school down, or just simply not renew their contract, but I do not think that it is my duty as a Board member to second-guess what this school is going to do. I have to go strictly by what they put on this contract and if they do not do that, then I could take remedy and I've already told them I would do everything I can to close them down. But it is incumbent upon me, I have to trust the Superintendent, I have to trust our Board attorney, I have to trust our school attorney and our staff not to present me with a recommendation that they have not checked out thoroughly and I'm here to tell you that I will support this charter school tonight if it came up for a vote.

Chairman Cake pointed out that there is no motion that has passed or failed so the Board cannot reconsider something that is not a motion.

Board Attorney Lang referred to Florida Statutes relating to what happens if the applicant for the charter school and the Board do not agree on a charter. The law states that the Department of Education shall provide mediation services for any disputes regarding this section subsequent to the approval of a charter application, except disputes regarding charter school application denial. If the Commissioner of Education determines that the dispute cannot be settled through mediation, the dispute may be appealed to an administrative law judge appointed by the Division of Administrative Hearings. The administrative law judge may rule on issues of equitable treatment of a charter school as a public school, whether proposed provisions of the charter violate the intended flexibility granted charter schools by statutes or on any other matter regarding this section, except the charter school application denial. The cost of the administrative hearing shall be paid by the party whom the administrative law judge rules against.

He recommended the School Board have comment regarding the denial and have a motion to approve or disapprove the contract.

Motion by Mrs. Sharpe

Seconded by Mrs. Carroll

Moved to approve the contract for The Alachua Learning Center, Inc., Charter School.

Mrs. Carroll stated that based on the information and the many discussions she has had regarding The Alachua Learning Center, Inc., she continues to be concerned that they are still going to be a direct substitute for a private school and will only draw an exclusive population. She stated that the Alachua community was not aware of this school and it does not have community support.

Mrs. Brashear stated that she has spent many hours studying this issue and noted for the record that this district is ahead of most counties and has been very open and positive towards allowing charter schools to have opportunities to serve this county. She is supportive of charter schools filling a niche and that can do something better than the school system and this district has allowed that to happen.

She referred to the information the Board has received on The Alachua Learning Center, Inc., and noted that the original proposal indicated they were going to be a school exclusively for religious purposes and the Board overlooked this error and approved the concept. She stated that the Board has learned many specifics since then from what was available in the general discussions of the idea of the school and if she had known then what she knows now, she would never have approved the concept.

She noted that the location is quite remote and is outside the city limits of Alachua and outside the urban services district. She drove out to see the site and noted that as one turns into the road that would lead to the property there is a large sign that reads: "Welcome to the Krishna Religious Farm." She also counted about 37 to 38 residences on the property. The community of Alachua is aware that this is a religious farm and many people live there, it is a tax exempt religious organization where people work, live, go to church and worship. Her concern is that no matter how many times they tell the Board that this is open to everyone, she does not believe many Alachua residents will attend due to the remote location and its religious connections.

Mrs. Brashear pointed out that the schools in Alachua, Florida, are not overcrowded, or overenrolled and there is no need for another school in this area. Their proposal states their curriculum involves hands-on experience, multicultural education, high standards, and technology and the Alachua County schools do all of these things and nothing different is being offered.

She referred to a school in Michigan, which tried to take urban black males and give them a particular curriculum in a charter school setting that would somehow teach them what they particularly needed to know

with an at-risk group. She believes they were forced by the federal government to close because a young lady wanted to go to that school and they did not serve young ladies. She believes that the Board cannot split students into girls and boys on a regular basis and having read The Alachua Learning Center's information on their religious philosophy, girls and boys are separated.

She stated that things have been changed and the changes have come too late to be critical with her. She does not know how to distinguish what the difference would be and would rather err on the side of caution than to agree with Mrs. Sharpe that the Board can fix it later, because she does not believe it can be fixed later.

She believes that School Board members are charged with making decisions and based on the reasons she has stated it is her duty as a Board member to protect the public's money and public school children require her to make a decision and vote no.

She stated for the record that a lot of the information she requested has not been forthcoming.

Dr. Leathers stated he has heard only negative comments about The Alachua Learning Center, Inc. He personally viewed the property and spoke with a staff member of the existing Krishna Academy who expressed to him that they would have no more problems when they got their new school. This input was enough for him to question approving this particular charter and based on these concerns he cannot support The Alachua Learning Center, Inc, Charter School.

Mrs. Sharpe stated that she was not referring to the Marcus Garvey School and this school had nothing to do with black students, but was a public school in Morristown, New Jersey, and it was a multi-culturally diverse school that wanted to do separate classes and it fell through. The legislature just made it possible that money will go from the public school system not only to private schools, but by way of vouchers and they will go to charter schools, private schools and parochial schools and she is still supportive of the Superintendent's recommendation.

Several individuals and residents and citizens expressed their support of a charter school in the city of Alachua and assured the Board that they will not allow religion to be taught in the school.

Mr. Coffey requested the Board explain how his client failed to conform to the requirements of law since they followed the exact terms and conditions of the previous three contracts the Board approved. The Board has also received written confirmation from the Academy that this is not a conversion, and the Academy will continue to exist. The Board was urged not to deny the residents who are seeking this new charter school.

Moved the superintendent's recommendation to terminate the employee effective May 5, 1999.

The question was called.

Upon Vote: Motion passed 5-0

1999-2000
REAPPOINTMENT OF
INSTRUCTIONAL
PERSONNEL (ANNUAL
AND PROFESSIONAL
SERVICES
CONTRACTS)—
ATTACHMENT C

Motion by Mrs. Sharpe

Seconded by Mrs. Carroll

Moved the superintendent's recommendation to reappoint instructional personnel (Annual and Professional Services Contracts) for 1999-2000 as presented on Attachment C.

The question was called.

Upon Vote: Motion passed 5-0

CONSENT AGENDA

Motion by Mrs. Sharpe

Seconded by Dr. Leathers

Moved to approve the Consent Agenda as described in items 1-16, with the change as noted in item 14 along with the deletion of The Alachua Learning Center, Inc., from those listed. (See Supplementary Minutes Book.)

The question was called.

Upon Vote: Motion passed 5-0

DISCUSSION ITEM—
PSYCHOLOGICAL
TESTING UPDATE

Dr. Boyd stated that at the last Board meeting a request was made that a report be made relative to the psychological testing services provided and offered to students in Alachua County.

Dr. Jose Catusus, psychologist, presented the Board with extensive information relative to student referrals for testing and informed the Board of the need to contract out for psychological testing services over the summer.

ADJOURNMENT

The meeting was adjourned at 11:22 p.m.