

DRAFT

Minutes

State Board of Education Meeting

Date

Wednesday, December 10, 2008

Time

1:00 p.m. State Board Regular Meeting

Location

**Rutledge Conference Center
1429 Senate Street
Columbia, South Carolina**

Al Simpson, Chair

Kristin Maguire, Chair-Elect

Jim Rex, PhD

State Superintendent of Education

Secretary and Administrative Officer to the Board

II. WELCOME

Board Chair Simpson called the State Board of Education (SBE) meeting to order at 1:00 p.m. and welcomed everyone to the meeting.

The following SBE members were in attendance: Al Simpson, Chair, Sixth Judicial Circuit; Kristin Maguire, Chair-Elect, Governor's Appointee; Patsy Pye, First Judicial Circuit; Tim Moore, Second Judicial Circuit; Bonnie Disney, Third Judicial Circuit; Hampton Hubbard, Fourth Judicial Circuit; Diane Sumpter, Fifth Judicial Circuit; Libby Swad, Seventh Judicial Circuit; Charles McKinney, Eighth Judicial Circuit; Cindy Clark, Ninth Judicial Circuit; Rick Adkins, Tenth Judicial Circuit; Amelia Herlong, Eleventh Judicial Circuit; Fred "Trip" DuBard, III, Twelfth Judicial Circuit; Phillip Bowers, Thirteenth Judicial Circuit; Ben Mitchell, Fourteenth Judicial Circuit; and Gerrita Postlewait, Fifteenth Judicial Circuit (left at 2:00 p.m.).

Absent with apologies was Britt Blackwell, O.D., Sixteenth Judicial Circuit.

South Carolina Department of Education (SCDE) staff in attendance were Jim Rex, PhD, State Superintendent of Education; Carol Collins, Minutes Taker;

Janice Poda, PhD, Deputy Superintendent for Administration; Sandy Smith, Deputy Superintendent for Policy and Legislation; Valerie Harrison, EdD, Deputy Superintendent, Division of Standards and Learning; Teri Siskind, PhD, Deputy Superintendent, Division of Accountability; Betsy Carpentier, Deputy Superintendent, Division of Innovation and Support; Mark Bounds, Deputy Superintendent, Division of Educator Quality and Leadership; Shelly B. Kelly, Parliamentarian, General Counsel, Office of General Counsel, and Barbara Drayton, Deputy General Counsel, Office of General Counsel.

III. PLEDGE OF ALLEGIANCE

Board Chair Simpson led the audience in the Pledge of Allegiance. He thanked the Air Force JROTC from Southside High School, Greenville County Schools, for presenting the colors. The Principal of Southside High School is Carlos Brooks.

IV. APPROVAL OF STATE BOARD OF EDUCATION MINUTES FOR NOVEMBER 12, 2008

Kristin Maguire moved to approve the SBE minutes for November 12, 2008. Charles McKinney seconded the motion. The motion carried.

V. APPROVAL OF STATE BOARD OF EDUCATION AGENDA FOR DECEMBER 10, 2008

Rick Adkins moved to approve the SBE agenda for December 10, 2008. Phillip Bowers seconded the motion. The motion carried.

Tim Moore moved that Item VII, *Election of Chair-Elect for 2009* be moved to after Item IX. Public Comment. The motion carried.

VI. RECOGNITION OF VISITORS, INCLUDING NEWS MEDIA

Board Chair Simpson recognized all visitors present. There was no news media present.

Board Chair Simpson turned the meeting over to State Superintendent of Education Rex.

VIII. STATE SUPERINTENDENT OF EDUCATION REPORT AND RECOGNITIONS

State Superintendent of Education Rex recognized the 2008 National Blue Ribbon School recipients. The national No Child Left Behind Blue Ribbon Schools program is administered by the U.S. Department of Education. The program recognizes public and private K-12 schools that are academically superior or that demonstrate dramatic gains in student achievement. The schools chosen as National Blue Ribbon recipients are models of excellence that other schools can emulate.

The award winners each received a plaque and a flag. The National Blue Ribbon Schools are as follows:

- Bethune-Bowman/Middle High School,
Orangeburg School District Five
Bethune-Bowman has experienced dramatic improvement, moving its absolute performance rating from Unsatisfactory in 2003 to Excellent in 2007. In addition to making significant gains in PACT and HSAP test scores, they have also increased their graduation rate.
Patsy Pye is their SBE member.
- Carver Elementary School
Florence School District One
Carver Elementary School is a Title I school with 854 students. Its preschool through fourth-grade students come from varied socioeconomic backgrounds. It was one of the 12 schools selected to present at the Blue Ribbon awards ceremony in Washington this October.
Fred "Trip" DuBard III is their SBE member.
- Crestview Elementary School
Greenville County School District
Since 2002, Crestview has experienced dramatic changes in its student population. The school's poverty index increased from 28 percent in 2002 to 65 percent in 2008. The number of students who speak English as a second language also increased from 17 in 2003-04 to 91 in 2007-08. The leadership is tenacious in its commitment to providing materials and the means to enhance instruction.
Phillip Bowers is their SBE member.
- East End Elementary School
Pickens County School District
East End Elementary School's mission is "Excelling in Academics, Encouraging Character, Embracing the Community, and Seeking

Success for all Students.” The school continues to make gains and has made Adequate Yearly Progress as required by NCLB each year. Phillip Bowers is their SBE member

- Lake Carolina Elementary School

Richland School District Two

The school’s success reflects its steadfast commitment to excellence in the face of challenges posed by growth and change. It consistently has had an Absolute rating of Excellent and an Excellent rating in Improvement. Lake Carolina is a Red Carpet School and has also won Palmetto Gold awards for high student achievement. The school’s teacher, Heather Bass, is a 2008 Milken Educator.

Diane Sumpter is their SBE member.

Dr. Rex advised the SBE that the budget reductions would be continuing. He stated that there would be another budget cut, possibly as much as 4 percent on top of what has already been absorbed. He reminded everyone that when there is a cut to education, 96 percent of the total reduction is passed through to school districts. Three percent of the cuts go to transportation, testing, textbooks, and technology; 1 percent goes to the SCDE. He stated that when the legislature comes back in January, one of the SCDE’s first efforts is going to be requesting a joint resolution for greater flexibility and relief from mandates for school districts, as well as the SCDE . We will also ask the legislature to revisit the four-year-old kindergarten for at-risk children, public school choice, and comprehensive reform on how public schools are funded and how revenue is raised. There is a strong consensus developing that the state needs to move toward a statewide uniform millage.

IX. PUBLIC COMMENT

There were two people present for public comment speaking on special education needs. They were Ms. Janet Fraser and Ms. Lisa Lipscomb.

VII. ELECTION OF CHAIR-ELECT FOR 2009
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Board Chair Simpson turned the meeting over to Kristin Maguire to present the nominee for the election of the Chair-Elect for 2009. Mrs. Maguire stated that she chaired the committee to nominate a board member to the SBE for the position of Chair-Elect. The Nominating Committee met on December 10, 2008, at 12:30 p.m. The committee members were Kristin Maguire, Chair; Cindy Clark; and Ben Mitchell.

Kristin Maguire moved to nominate Amelia Herlong as the Nominating Committee's recommendation for Chair-Elect. The Chair stated that Amelia Herlong's name would be placed in nomination. Cindy Clark spoke in support of Ms. Herlong.

Board Chair Simpson then asked for nominations from the floor. Charles McKinney moved that Tim Moore be nominated as Chair-Elect. Diane Sumpter and Ben Mitchell spoke in support of Mr. Moore.

Board Chair Simpson asked if there were any other nominations. There were none. Board Chair Simpson called for the close of the nominations. He asked for the vote on Amelia Herlong by show of hands. Chair Simpson called for the vote on Tim Moore. The vote was 6 in favor of Mrs. Herlong and 7 votes for Mr. Moore. Chair Simpson stated that it would be a tie vote since he was voting for Ms. Herlong. Chair Simpson then called for another vote. The vote was 7 votes for Ms. Herlong and 8 votes for Mr. Moore. Tim Moore was elected as Chair-Elect for 2009.

X. PUBLIC HEARING

Board Chair Simpson stated there would be a Public Hearing on the second reading of the proposed amendments to and repeal of the following regulations.

01. Promulgate Amendments to 24 S.C. Code Ann. 43-165.1, (Supp. 2007), Program for Assisting, Developing, and Evaluating Principal Performance (PADEPP) (Second Reading)

Beth Copenhaver, PhD, Education Associate, Office of School Leadership, Division of Educator Quality and Leadership, presented the regulation. She stated that the regulation needed updating for several reasons: (1) The South Carolina performance standards and criteria for principal evaluation are based upon the Interstate School Leaders Licensure Consortium (ISLLC) performance standards, which were revised in January 2008; (2) SCDE office names and procedures have changed; and (3) in order to provide more appropriate pre-service and in-service training for principals, focused principal evaluation data will be gathered from school districts.

Ms. Copenhaver stated that there had been no changes made to the regulation since first reading. The SCDE had received no written comments from the public on the amendments.

The SCDE recommended that the SBE approve the promulgation of amendments to R 43-165.1, Program for Assisting, Developing, and Evaluating Principal Performance (PADEPP).

Board Chair Simpson stated that no one had signed up for public comment and then asked if anyone in the audience wished to comment. There were no comments from the audience.

Kristin Maguire moved to approve the promulgation of amendments to 24 S. C. Code Ann. Regs. 43-165.1, Program for Assisting, Developing, and Evaluating Principal Performance (PADEPP) (Supp. 2007), for second reading. Charles McKinney seconded the motion.

Board Chair Simpson then asked for comments or questions from member of the SBE.

There being no discussion, the Chair called for the question to approve the promulgation of amendments to 4 S. C. Code Ann. Regs. 43-165.1, Program for Assisting, Developing, and Evaluating Principal Performance (PADEPP) (Supp. 2007), for second reading. The motion carried.

02. Promulgate Amendments to 24 S.C. Code Ann. Regs. 43-262 (Supp. 2007), Assessment Program (Second Reading)

Teri Siskind, PhD, Deputy Superintendent, Division of Accountability, presented the regulation for second reading. She stated that the changes were being made in response to amendments to the Education Accountability Act of 1998 (EAA), S.C. Code Ann. Section 59-18-310 (Supp. 2008).

Dr. Siskind stated that there had been no changes made to the regulation since first reading. The SCDE had received no written comments from the public on the amendments.

The SCDE recommended that the SBE approve the promulgation of amendments to 24 S.C. Code Ann. Regs 43-262 (Supp. 2007), Assessment Program for second reading.

Board Chair Simpson stated that no one had signed up for public comments and then asked if anyone in the audience wished to comment. There were no comments from the audience.

Kristin Maguire moved to approve the promulgation of amendments to 24 S.C. Code Ann. Regs 43-262 (Supp. 2007), Assessment Program for second reading. Rick Adkins seconded the motion. The motion carried.

Board Chair Simpson then called for comments or questions from members of the Board.

There being no discussion, the Chair called for the question to approve the promulgation of amendments to 24 S.C. Code Ann. Regs. 43-262 (Supp. 2007), Assessment Program for second reading. The motion carried.

03. Repeal of 24 S.C. Code Ann. Regs. 43-600 (Supp. 2007) (Second Reading)

Shelly Kelly, General Counsel, Office of General Counsel, presented the regulation. She stated that the regulation was being repealed because the General Assembly amended the charter school law this year and transferred the responsibility for hearing appeals regarding charter school matters from the SBE to the Administrative Law Court (ALC); therefore, this regulation needed to be repealed.

Ms. Kelly stated that there had been no written comments received concerning the repeal of R 43-600. The SCDE recommended that the State Board of Education approve the repeal of R 43-600, Charter School Appeals.

Board Chair Simpson stated that no one had signed up for public comment and then asked if anyone in the audience wished to comment. There were no comments from the audience.

The Chair called for the motion.

Kristin Maguire moved to approve the promulgation of the repeal of 24 S.C. Code Ann. Regs. 43-600, Charter School Appeals (Supp. 2007), second reading. Charles McKinney seconded the motion.

Board Chair Simpson then called for comments or questions from members of the SBE.

There being no discussion, the Chair called for the question to approve the promulgation of the repeal of 24 S.C. Code Ann. Regs. 43-600, Charter School Appeals (Supp. 2007), for second reading. The motion carried.

04. Promulgate Amendments to 24 S.C. Code Ann. Regs. 43-601 (Supp. 2007) (Second Reading)

Joel Medley, Education Associate, Office of Public School Choice, Division of Innovation and Support, presented the regulation. He

stated that the proposed amendments to the regulation amended the standards to conform to changes in state law, add clarification, and define virtual charter schools.

Mr. Medley stated that there had been written comments received concerning amendments to 24 S.C. Code Ann. Regs. 43-601, Procedures and Standards for Review of Charter School Applications. These comments were reviewed by SCDE staff, and the regulation had been modified in response to the comments. The comments along with the amended regulation had been sent to all SBE members for review, and the amended regulation and comments had been posted on the SCDE Web site for public review.

Board Chair Simpson stated that there were two people that signed up for public comments. Dr. Tim Daniels, Superintendent for the Public Charter Schools District and Ms. Paula Gray, Academic Monitor for the five charter schools in the Public Charter Schools District, spoke regarding the amendments to the regulation.

Kristin Maguire moved to approve the promulgation of amendments to 24 S.C. Code Ann. 43-601 (Supp. 2007) for second reading. Charles McKinney seconded the motion.

Board Chair Simpson then called for comments or questions from members of the Board.

There being no further discussion, the Chair called for the question to approved the promulgation of amendments to 24 S. C. Code Ann. 43-601 (Supp. 2007) for second reading. The motion carried.

XI. STATE BOARD COMMITTEE ITEMS

EP. EDUCATION PROFESSIONS

Committee Report—Patsy Pye, Chair, stated that there two items being presented for approval.

FOR APPROVAL

- 01. Identification of Geographic Critical Need Schools for 2009-10 Relative to the South Carolina Teacher Loan Cancellation Program**—Falicia Harvey PhD, Education Associate, Office of Educator Certification, Division of Educator Quality and Leadership

On behalf of the Education Professions Committee, Chair Pye moved to approve the request for Identification of Geographic Critical Need Schools for 2009–10 Relative to the South Carolina Teacher Loan Cancellation Program. The motion comes out of committee; therefore, it does not require a second. The motion carried.

- 02. Identification of Critical Need Subject Area for 2009-10 Relative to the South Carolina Teacher Loan Cancellation Program**—Falicia Harvey PhD, Education Associate, Office of Educator Certification, Division of Educator Quality and Leadership

On behalf of the Education Professions Committee, Chair Pye moved to approve the request for Identification of Critical Need Subject Areas for 2009-10 Relative to the South Carolina Teacher Loan Cancellation Program. The motion comes out of committee; therefore, it does not require a second. The motion carried.

SL&A. STANDARDS, LEARNING, AND ACCOUNTABILITY

Committee Report—Cindy Clark, Chair, stated that there were four items being submitted for approval and five items for information.

FOR APPROVAL

- 01. Instructional Materials Report from the 2008 Instructional Material Review Panels and Prioritization Recommendations**—Kriss Stewart, Coordinator, Office of Academic Standards, Division of Standards and Learning

On behalf of the Standards, Learning, and Accountability Committee, Chair Clark moved to approve the Instructional Materials Report from the 2008 Instructional Material Review Panels and Prioritization Recommendations. The motion comes out of committee; therefore, it does not require a second. The motion carried.

- 02. Proposed Amendments to 24 S.C. Code Ann. Regs. 43-168(I)(B)(1) (Supp. 2007), Nutrition Standards for Elementary (K-5) School Food Service Meals and Competitive Foods (First Reading)**—Todd Bedenbaugh, Interim Director, Office of School Food Services and Nutrition, Division of Innovation and Support

On behalf of the Standards, Learning, and Accountability Committee, Chair Clark moved to approve the Proposed Amendments to 24 S.C. Code Ann. Regs. 43-168(I)(B)(1) (Supp. 2007), Nutrition Standards for Elementary (K-5) School Food Service Meals and Competitive Foods for first reading. The motion comes out of committee; therefore, it does not require a second. The motion carried.

- 03. Proposed Amendments to 24 S.C. Code Ann. Regs. 43-260 (Supp. 2007) Use and Dissemination of Test Results (First Reading)**—Elizabeth Jones, Director, Office of Assessment, Division of Accountability

On behalf of the Standards, Learning, and Accountability Committee, Chair Clark moved to approve the Proposed Amendments to 24 S.C. Code Ann. Regs. 43-260 (Supp. 2007) Use and Dissemination of Test Results for first reading. The motion comes out of committee; therefore, it does not require a second. The motion carried.

- 04. Additions and Updates for the 2008-09 Adoption List of Formative Assessments**—Susan Creighton, PhD, Education Associate, Office of Assessment, Division of Accountability

On behalf of the Standards, Learning, and Accountability Committee, Chair Clark moved to approve the Additions and Updates for the 2008-09 Adoption List of Formative Assessments. The motion comes out of committee; therefore, it does not require a second. The motion carried.

FOR INFORMATION

- 05. Update on the Office of eLearning**—Dee Appleby, Director, Office of eLearning, Division of Standards and Learning

Chair Clark summarized the update on the Office of eLearning given by Ms. Appleby.

- 06. Report on the Development of the Palmetto Assessment of State Standards (PASS)**—Amelia Brailsford, Education Associate, Office of Assessment, Division of Accountability

Chair Clark summarized the report on the development of the Palmetto Assessment of State Standards (PASS) given by Ms. Brailsford.

- 07. Education and Economic Development Act (EEDA)/Electronic Individual Graduation Plan (eIGP) Project Overview and Statewide Statistics**—Donna Moran, Education Associate, Office of Data Management and Analysis, Division of Accountability

Chair Clark summarized the report on the Education and Economic Development Act (EEDA)/Electronic Individual Graduation Plan (eIGP) Project Overview and Statewide Statistics, given by Ms. Moran.

- 08. Report on the Findings of the South Carolina Mathematics Advisory Panel**—John Holton, PhD, Coordinator of the Mathematics and Science Unit, Office of Instructional Promising Practices, Division of Standards and Learning

Chair Clark summarized the report on the findings of the South Carolina Mathematics Advisory panel given by Dr. Holton.

- 09. Update on the Progress of Health and Safety Education Standards Writing**—Christene Beyers, Education Associate, Office of Youth Services, Division of Innovation and Support

Chair Clark summarized the update on the progress of Health and Safety Education Standards Writing, given by Dr. Beyers. Chair Clark recognized Betsy Carpentier, Deputy Superintendent for Innovations and Support. Ms. Carpentier gave the SBE an in-depth update on the Health and Safety Education Standards. Ms. Clark requested that they have a copy of the updated Health and Safety Education Standards by February 11, 2009. Mrs. Carpentier said she felt that the Committee would be able to meet the February 11 deadline.

F&O. FINANCE AND OPERATIONS

Committee Report—Rick Adkins, Chair, stated that there were two items being submitted for approval and one as information.

FOR APPROVAL

- 01. Selection of State Textbook Depository**—Jim White, Manager, Instructional Materials Section, Office of Finance, Division of Finance and Operations

On behalf of the Finance and Operations Committee, Chair Adkins moved to approve R. L. Bryan as the selection of State

Textbook Depository. The motion comes out of committee; therefore, it does not require a second. The motion carried.

- 02. Request for Approval of Property Disposal—Chester County School District**—Alx James, Director, Office of School Facilities, Division of Innovation and Support

On behalf of the Finance and Operations Committee, Chair Adkins, moved to approve the request for approval of property disposal for Chester County School District. The motion comes out of committee; therefore, it does not require a second. The motion carried.

FOR INFORMATION

- 03. State Board Financial Statements**—John Cooley, Deputy Superintendent, Division of Finance and Operations

Chair Adkins updated the Board on the State Board financial statements given by Mr. Cooley.

I&ES. INNOVATION AND EDUCATIONAL SERVICES

Committee Report—Kristin Maguire, Chair

Chair Maguire stated that the Innovation and Educational Services Committee did not meet this month.

P&L. POLICY AND LEGISLATIVE

Committee Report—Al Simpson, Chair

Board Chair Simpson stated that the Policy and Legislative Committee did not meet this month.

XII. OTHER BUSINESS

Dr. Nancy Busbee presented items 01 and 02 out of order.

- 02. Appearance before the State Board of Education (SBE) by Representatives from the Mount Pleasant Middle School, the Lee County School District Office, and the District's Board of Trustees**—Nancy Busbee, PhD, Director, Office of Federal and State Accountability, Division of Accountability

Dr. Nancy Busbee presented this item. The purpose of this item is to allow the principal from Mount Pleasant Middle school, the superintendent, and members of the Lee County Board of Trustees to appear before the State Board of Education to present an update on the progress toward implementing the strategies to support the school's goals in the 2008-09 Focused School Renewal Plan.

Dr. Busbee introduced Dr. Cleo Richardson, Superintendent, Lee County School District, who introduced the representatives from Mount Pleasant Middle School. The SBE was updated on the progress being made toward implementing the strategies to support the schools goals in the 2008-09 focused school renewal plan.

- 01. Appearance before the State Board of Education (SBE) by Representatives from the Fairfax Elementary School, the Allendale County School District Office, and the District's Board of Trustees**—Nancy Busbee, PhD, Director, Office of Federal and State Accountability, Division of Accountability

Dr. Nancy Busbee presented this item. She stated that the purpose of this item is to allow the principal from Fairfax Elementary School, the superintendent, and members of the Allendale County School District Board of Trustees to appear before the SBE to present an update on the progress toward implementing the strategies to support the school's goals in the 2008-09 Focused School Renewal Plan.

Dr. Ora Watson, District Superintendent, Allendale County School District, introduced the representatives from the district. An update was presented on the progress toward implementing the strategies to support the school's goals in the 2008-09 Focused School Renewal Plan.

- 03. Update on Palmetto Priority Schools**—David Rawlinson, Director, Special Projects, Office of the Superintendent

David Rawlinson, Director, Special Projects, Office of the Superintendent, and Peter Samulski, Education Associate, presented this item. Mr. Rawlinson and Mr. Samulski updated the Board on the Palmetto Priority Schools by presenting a video and PowerPoint slides and answered questions from the SBE members.

XII. OTHER BUSINESS (continued)
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Tim Moore requested that the SBE unanimously support a proclamation, presented on behalf of Dr. Britt Blackwell, to honor the football programs at

South Pointe High School, Rock Hill High School, and Northwestern High School (copy attached). Ben Mitchell seconded the motion.

After discussion by SBE members, Mrs. Maguire moved to table the proclamation. Phillip Bowers seconded the motion. The motion to table was carried.

Mrs. Maguire asked that if any of the Board members wanted to spend the night on January 13 to let Ms. Clark know so that hotel reservations can be made. A reception for Board members will be held on Tuesday night at the hotel. The Board will hold it's orientation and regular board meeting in the Rutledge Conference Center.

Mr. McKinney expressed his concern that the Department of Disability and Special Needs had failed to implement a program for autistic children that cost millions of state and federal money. Each month we have parents appearing before the SBE requesting assistance for their children's education. He feels that if the Department of Disability and Special Needs cannot handle those funds, then they should be directed to the SCDE to be utilized within the school districts to meet the academic needs of those children.

XIII. ADJOURNMENT

There being no further business, the SBE adjourned at 6:00 p.m.