

STATE BOARD OF EDUCATION

Columbia, South Carolina

November 10, 2004

The State Board of Education held its November meeting at nine o'clock, Wednesday morning, November 10, 2004, in the Basement Conference Room of the Rutledge State Office Building. The following State Board members were in attendance: Dr. Mary E. Jones, Chair; Mr. Paul M. (Mike) Forrester, Chair-Elect; Ms. Victoria Belin; Ms. Rebecca Burch; Dr. Anne S. Crook; Mr. Jessie Curtis; Mrs. Brenda S. Fort; Mr. John H. Hostetler; Mr. Joe Isaac; Mr. Marion B. Lee, Jr.; Mrs. Kristin Maguire; Dr. Dennis Nielsen; Dr. Harriett L. Rucker; Mrs. Terrye C. Seckinger; Mr. Phillip Shoopman; Ms. Virginia Wilson; and Dr. Kristi Woodall. Also present was staff of the State Department of Education.

OPENING

The meeting was brought to order by Chair Jones. Mr. Mike Forrester led the Board in the Pledge of Allegiance.

APPROVAL OF MINUTES OF SEPTEMBER 10, 2004

Mrs. Kristin Maguire moved for the approval of the minutes of the October 12, 2004, meeting. The motion was seconded by Mr. Forrester and approved by the Board.

APPROVAL OF STATE BOARD OF EDUCATION AGENDA

Mrs. Kristin Maguire moved for the approval of the agenda. The motion was seconded by Mrs. Fort and approved by the Board.

RECOGNITION OF VISITORS, INCLUDING NEWS MEDIA

Chair Jones welcomed Dr. Charles Kovacik, S.C. Geographic Alliance, and all of the visitors present. Mrs. Carol Collins stated there were no news media present.

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STATE SUPERINTENDENT OF EDUCATION REPORT

RECOGNITION OF ONE OF THE 65 NATIONAL DISTINGUISHED PRINCIPALS BY THE NATIONAL ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS

Superintendent Tenenbaum recognized Mr. Barry Knight from Anderson School District One, for being named one of the 65 national distinguished principals by the National Association of Elementary School Principals.

Dr. Wayne Fowler, Superintendent, Anderson School District One, was introduced by Superintendent Tenenbaum.

Superintendent Tenenbaum presented an engraved trophy to Mr. Knight for this accomplishment.

RECOGNITION OF GED HIGH SCORER OF THE YEAR

Superintendent Tenenbaum recognized Ms. Mahogany Patterson for being the highest GED test scorer of the year.

Superintendent Tenenbaum presented an engraved plaque to Ms. Patterson. Mr. David Stout, Division of Adult Education, read a letter of congratulations from the GED Testing Services.

ANNOUNCEMENT OF NATIONAL TEACHER OF THE YEAR IN WAL-MART'S NINTH ANNUAL TEACHER OF THE YEAR PROGRAM

Superintendent Tenenbaum announced that Mrs. Carol Olney, special education teacher from Charleston County School District, was named the National Teacher of the Year in Wal-Mart's ninth annual Teacher of the Year Program.

ANNOUNCEMENT OF DEPUTY SUPERINTENDENTS LEAVING THE STATE DEPARTMENT OF EDUCATION

Superintendent Tenenbaum announced that Mrs. Molly Spearman, Deputy Superintendent, Division of Governmental Affairs, Dr. Sandra Lindsay, Deputy Superintendent, Division of Curriculum Services and Assessment, and Mr. Elmer Whitten, Deputy Superintendent, Division of Finance and Operations, were leaving the State Department of Education.

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PUBLIC COMMENT PERIOD

There was one public speaker for this meeting: Dr. Charles Kovacik, Director, S.C. Geographic Alliance, spoke on the changes to the South Carolina Social Studies Academic Standards 2004, Revised, and concerns regarding the elimination of world geography in the Standards. The Board was urged to reinstate geography at the seventh and ninth grade levels.

FIVE-MINUTE RECESS

RECOVENE FULL BOARD MEETING

Dr. Jones moved that an Executive Session regarding a legal briefing on the Charter School hearing be added to the agenda after Item X. The motion was seconded by Mr. Forrester and approved by the Board.

Mrs. Maguire moved that Item 54-03 be moved from the consent agenda, since it was not voted out of the Finance and Legislative Committee on Tuesday. The motion was seconded by Mrs. Fort and approved by the Board.

STATE BOARD OF EDUCATION STANDING COMMITTEE REPORTS

Mrs. Brenda Fort, Chair
Teacher Recruitment, Training, and Certification Committee

Dr. Harriett Rucker, Chair
Curriculum and Instructional Materials Committee

Mrs. Kristin Maguire, Chair
Finance and Legislative Committee

Dr. Mary Jones, Chair
Educational Policy Committee

56. Teacher Recruitment, Training, and Certification Committee—Mrs. Fort reported that the Teacher Recruitment, Training, and Certification Committee (*TRTC*) met on Tuesday, November 9, 2004.

01. Approval of Agenda for November 9, 2004—Mrs. Fort reported that the agenda for the November 9, 2004, meeting was approved.

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02. Approval of Minutes of October 12, 2004—Mrs. Fort reported that the minutes from the October 12, 2004, Teacher Recruitment, Training, and Certification Committee meeting were approved.

04. Proposed amendments to 24 S.C. Code Ann. Regs. 43-205.1 (Supp. 2003), Assisting, Developing, and Evaluating Professional Teaching (ADEPT) (First Reading)

On behalf of the TRTC Committee, Mrs. Fort moved that the State Board of Education approve the proposed amendments to 24. S.C. Code Ann. Regs. 43-205.1 (Supp. 2003), Assisting, Developing, and Evaluating Professional Teaching (ADEPT) for first reading. The motion carried.

05. Consent Agenda—Mrs. Fort reported that Item 56–03, (Supp. 2003), Administrative and Professional Qualifications, Duties and Workloads, was placed on the consent agenda.

55. Curriculum and Instructional Materials Committee—Dr. Harriett Rucker reported that the Curriculum and Instructional Materials Committee met on Tuesday, November 9, 2004.

01. Approval of Agenda for November 9, 2004—Dr. Rucker reported that the agenda for November 9, 2004, was approved.

02. Approval of Minutes of October 12, 2004—Dr. Rucker reported that the minutes of the October 12, 2004, Curriculum and Instructional Materials Committee meeting were approved.

05. Consent Agenda—Dr. Rucker reported that Items 55–03, South Carolina Social Studies Academic Standards 2004, Revised (First Reading), and 55-04, Proposed amendments to 24 S.C. Code Ann. Regs. 433-259, Graduation Requirements (First Reading), were placed on the consent agenda.

Dr. Rucker reported that the following item was for information.

Discussion of appeal process for average yearly progress (AYP)

54. Finance and Legislative Committee—Mrs. Kristin Maguire reported that the Finance and Legislative Committee met on Tuesday, November 9, 2004.

01. Approval of Agenda for November 9, 2004—Mrs. Maguire reported that the agenda for the November 9, 2004, meeting was approved.

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02. Approval of Minutes of October 12, 2004—Mrs. Maguire reported that the minutes of the October 12, 2004, Finance and Legislative Committee meeting were approved.

03. Statewide Capital Needs Report “Public School Capital Needs 2004–05 through 2008–09”

On behalf of the Finance and Legislative Committee, Mrs. Maguire moved that the State Board of Education delay consideration of taking action on the Statewide Capital Needs Report until an executive summary could be written, included in the document, and forwarded to all Board members.

04. Consent Agenda—Mrs. Maguire reported there were no items placed on the consent agenda.

Mrs. Maguire reported that the following item was submitted for information

State Board of Education Financial Statement

52. Educational Policy Committee—Mr. Forrester reported that the Educational Policy Committee met on Tuesday, November 9, 2004.

01. Approval of Agenda for November 9, 2004—Mr. Forrester reported that the agenda for the November 9, 2004, meeting was approved.

02. Approval of Minutes of October 12, 2004—Mr. Forrester reported that the minutes for the October 12, 2004, Educational Policy Committee meeting were approved.

06. Consent Agenda—Mr. Forrester reported that Items 52-03, What is the Penny Buying for South Carolina? December 2004, 52-04, Recommendation of Ms. Cleo W. Crank for South Carolina Charter School Advisory Committee, and 52-05, Recommendation of Dr. David Church for South Carolina Charter School Advisory Committee, were placed on the consent agenda.

07. Other Business—Dr. Jones reported that she had appointed Dr. Dennis Nielsen, Mrs. Victoria Belin, and Dr. Anne Crook to a nominating committee to make a recommendation for Chair-Elect for 2005. They are to bring their recommendation to the December Board meeting.

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Mr. Forrester reported that the following item was submitted for information.

South Carolina Center for Truancy and Dropout Prevention: Truancy Update

CONSENT AGENDA

The following items were approved by the Board without further debate upon motion by Dr. Rucker, seconded by Mrs. Maguire:

56-03. Proposed amendments to 24 S.C. Code Ann. Regs. 43-205 (Supp. 2003), Administrative and Professional Personnel Qualifications, Duties, and Workloads (First Reading)

The Teacher Recruitment, Training, and Certification Committee approved this item as presented.

55-03. South Carolina Social Studies Academic Standards 2004, Revised

The Curriculum and Instructional Materials Committee approved this item as presented.

55-04. Proposed amendments to 24 S.C. Code Ann. Regs. 43-259 (Supp. 2003), Graduation Requirements

The Curriculum and Instructional Materials Committee approved this item as presented.

52-03. What is the Penny Buying for South Carolina? December 2004.

The Educational Policy Committee approved this item as presented, and requested that an executive summary be written, included in the document, and forwarded to all Board members.

52-04. Recommendation of Ms. Cleo W. Crank for South Carolina Charter School Advisory Committee

The Educational Policy Committee approved this item as presented.

52-05. Recommendation of Dr. David Church for South Carolina Charter School Advisory Committee

The Educational Policy Committee approved this item as presented.

APPROVAL OF MINUTES OF NOVEMBER 9, 2004

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Dr. Rucker moved for the approval of the minutes of the November 9, 2004, meeting. The motion was seconded by Mrs. Fort and approved by the Board

**REPORT OF STATE BOARD OF EDUCATION EDUCATOR LICENSURE
ISSUES OF OCTOBER 12, 2004**

Chair-Elect Forrester gave a report of the actions taken by the State Board of Education concerning educator licensure issues in the State of South Carolina on Tuesday, November 9, 2004.

RECOGNITION OF NEWS MEDIA

Chair Jones asked Mr. Jim Foster, Director, Office of Public Information to introduce the News Media. Present were Ms. Allison Bruce, The Post and Courier and Mr. Joe A. Figueroa, Summerville Journal–Scene.

EXECUTIVE SESSION—LEGAL BRIEFING ON CHARTER SCHOOL APPEAL

PUBLIC HEARING—CHARTER SCHOOL APPEAL

The State Board of Education held a public hearing to hear an appeal from James Academy of Excellence regarding the denial of its charter by the Dorchester County School District Two Board of Trustees.

Michael Rose, Esquire, was given thirty (30) minutes to present information on behalf of James Academy of Excellence.

Alice Paylor, Esquire, and Arnold Goodstein, Esquire, was given thirty (30) minutes to speak on behalf of Dorchester County School District Two Board of Trustees decision to deny the charter.

Michael Rose, Esquire, was given five (5) minutes to speak.

EXECUTIVE SESSION REGARDING THE CHARTER SCHOOL APPEAL

The Board went in to Executive Session at 12:00 P.M. on motion by Mr. Lee, seconded by Mrs. Fort.

RETURN TO OPEN SESSION

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The State Board of Education returned to open session at 1:10 p.m.

Dr. Rucker moved that the State Board of Education find that the local district imposed only one condition in the conditional charter, which was the condition that the charter school secure a suitable site in Dorchester Two. The motion was seconded by Mr. Lee and approved by the Board with a vote of 15:1.

Dr. Rucker moved that the State Board of Education find that the local district did have a sufficient basis for concluding that James Academy had not met the condition of the conditional Charter. The motion was seconded by Ms. Belin and approved by the Board with a vote of 9:8.

Chair Jones stated that Dr. Dennis Nielsen, Ms. Victoria Belin, and Mr. John Hostetler will work with the Office of General Counsel on the final order of the Board and that the final order will be issued within twenty days. The order will be published on the State Department of Education website.

ADJOURNMENT

There being no further business the Board adjourned at 1:30.

Chair

Secretary