



E-AGENDA MANAGER

# Duval County Public Schools

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September 16, 2014, Committee Meeting

Ms. Becki Couch, Chairman  
Ms. Cheryl Grymes, Vice-Chairman  
Mr. Jason Fischer  
Dr. Constance S. Hall  
Ms. Ashley Smith Juarez  
Mr. Fred "Fel" Lee  
Mr. Ms. Paula D. Wright  
Dr. Nikolai Vitti, Superintendent

ATTENDANCE AT THIS COMMITTEE MEETING OF THE DUVAL COUNTY SCHOOL BOARD: All Board Members were present, with the exception of Board Member Ashley Smith Juarez. Dr. Nikolai Vitti, Superintendent, and Ms. Karen Chastain, Chief of Legal Services, were also present.

Call Meeting To Order

[CALL MEETING TO ORDER](#)

Minutes:

The Chairman called the Committee Meeting to order at 12:08 p.m.

Items To Be Discussed

[1. OCTOBER 7, 2014, DRAFT AGENDA REVIEW](#)

Minutes:

The Superintendent reviewed the October 7, 2014, Draft Agenda with the Board. Discussion included the following:

- Board - Item 1 - Resolution - Florida Tax Credit Scholarship - Board Member Fisher said, "I'm not sure exactly why it wasn't part of the agenda but everybody did get a copy of it in e-mail I submitted in advance so we could all get a chance to look at it and it's changed from the one I submitted last month. I took out all the "whereases" and tried to find a way to come to some common ground on this issue. Not everybody might agree with some of the statements. My desire on this is for us to be opposed to the lawsuit that was filed by a membership organization that we are a part of and have a leadership role in. Florida School Board Association, as you know, filed a lawsuit along with the League of Women Voters and some other organizations to claim that the Florida Tax Credit Scholarship Program is unconstitutional and that it violates religious clauses in the Constitution. There are several court cases out there in state courts and there is a Supreme Court case that is relevant on this, that essentially makes the lawsuit that was filed a frivolous lawsuit. It's going to cost taxpayers dollars. Having a leadership role in this association and paying dues to it which are taxpayer dollars, I think that we should compel them to withdraw from the lawsuit. So that is essentially what the Resolution is. It's just a "be it resolved." It's not asking you to support the Tax Credit Scholarship Program, although I certainly support it but the resolution really is to say, "We don't support the lawsuit. We don't support our membership organization being part of the lawsuit." That's what I wanted to do. I wanted to find some common ground on this issue and cut out all the other stuff and get right to the heart of the point which is we're opposed to the lawsuit. It's not, 'We're supporting the program.' We're just opposed to the lawsuit." Board Member Wright did not see a reason to oppose the FSBA lawsuit, and that while these scholarships are meant to help the disadvantaged, the income threshold for this one is being raised from \$42,000 to \$62,000. Board Member Hall also indicated she did not support the Resolution, and shared that the NAACP and the PTA supports the efforts of FSBA. Board Member Fischer responded by saying, "If you look at the lawsuit filed by FSBA, they reference Bush v. Holmes several times. If you read Bush v. Holmes it is very specific to the voucher program that was set up that used public dollars to fund that program. Structurally, the tax credit program is different. At no point do the dollars ever become public dollars. They are contributions for private citizens or companies to a non governmental entity--Step Up For Students is one--there's, I think, another one that has a right to administer the program or has filed an application to administer the program. It is a non-governmental entity and then they distribute the scholarships to children, so at no point does it ever become a public dollar. A private bank account is not the same as the Florida State Treasury so to use that argument to say they're equal, I would say is a huge violation of private property rights, in a way. If you look at the court case that is very recent, Bush v. Holmes 2006; if you look at the one that was filed with the Arizona Tax Credit Scholarship Program, the U.S. Supreme Court clears it up that at no point is a tax credit considered an appropriation or part of the public treasury. So it is private dollars to a non-governmental entity to a family to make the choices for their child's best educational option. So at no point does it ever become a public dollar. This is an issue that has already been settled. Not just that case. There are other state cases in state court, but the Supreme Court absolutely clears that one up. It is structurally different than the one that was ruled unconstitutional and it doesn't create any conflict or take away from what we do here. In fact the state receives savings because of the mode in which these children are educated. So I think that when you are an elected

representative, and you know I ran for the school board to do the work of what we're here to do. And I ran to represent our constituents, which include all of our kids; not just some of our kids but all of our kids. This program to date serves low income families, people on free and reduced lunch, that's the primary qualifier for it. In the future, there may be some site expansion to some working class families that would qualify. It would be a sliding scale at which, their ability to be able to get the scholarship would be 50% of that scholarship. And the low income families are prioritized first. No low income families who qualifies for it would be turned down because somebody of higher income tries to apply for it. Why should we oppose it? We pay membership dues. We go to these FSBA meetings. They are using our dollars, public tax dollars, to fight against this program to cause further waste with this lawsuit. I think we should weigh in, we should be active, we should be saying, 'This is our organization, we are a part of it, and we want nothing to do with it.' About the NAACP, I know the chapter president down in Pinellas was at the press conference supporting the Tax Credit Scholarship program because so many of the children in his community are on it. So I think whether you support the program yourselves, I think not being for the lawsuit is a whole different thing for various reasons that I've listed." Dr. Hall stated she does not support the Resolution.

- Board - Item 2 - Resolution - School Grades for 2014-2015 - Chairman Couch explained the purpose of this proposed Resolution. The Superintendent and she worked on the wording. To date no other District has done this. The Resolution asks that DOE not assign school grades for 2014-2015. Board Member Hall supports the Resolution but asked that we not single out the Gates Foundation as the only partner, and that the wording be changed to say significant supporters of accountability. Chairman Couch will also add wording that it has not been field tested in Florida. Board Member Wright also supports the Resolution.
- Academics - Item 3 - Microsoft Support - Board Member Hall asked if this was a renewal or purchase of new services. Mr. Jim Culbert, Director of Instructional Technology, indicated that this was a renewal for telephone support services for Microsoft technology. Board Member Hall asked about purchasing upgrades and support at the time we initially buy a new product. Board Member Wright asked about the dollar increase. The increase is because we are increasing the number of hours from 100 to 130. She shared that it would be helpful for Board members to see on agenda items information that says if we are eliminating another service to pay for an item - i.e., if we are doing this, then we are dropping this. This item also includes training. Dr. Hall suggested that it would be helpful to see the big picture and not piece meal. Dr. Vitti will provide the Board with information on how all of these items align. He would like to do a presentation and then bring all of the items at one time. The month of July was suggested as a good time for this, and it would be part of the budget discussions.
- Academics - Item 4 - AICE & Item 5 - IB - Chairman Couch asked about how much funding schools get to keep. The Superintendent will provide that information. He will also provide the Board with information on how long schools have had their programs.
- Academics - Item 7 - Dropout Prevention - Talked about Lone Star Charter and asked about the definition of a small cell. They had 282 dropouts one year and 300 the next. Board Members expressed concern with this number.
- Academics - Item 9 - ATOSS - This item may change before the Board meeting depending on what the City does with the budget approval process. If there is a

significant funding but, we would reduce the sites that are our own and maintain those with our partners.

- School Choice - Items 10 and 11 - Charters - These items are still in draft form. They should be finalized soon. Board Member Grymes asked what has happened to the idea that Charters should be innovative and provide options not available in the public school system. Ms. Karen Chastain, Chief of Legal Services, shared that the Statutes say it is encouraged.
- Administration - Item 14 - QZAB - Board Member Hall asked if we obtained insurance and a warranty for hardware being purchased. Mr. Paul Soares, Assistant Superintendent of Operations, shared that we did. He said that the warranties were for three years but we had purchased an additional year. Board Member Lee asked about schools having an on-site technology person and if they still receive a supplement. The Superintendent will research and provide this information. Staff has also discussed providing a supplement to the person maintaining the school website.
- General - Items 21-23 - Policy Changes - Chairman Couch explained some of the changes.
  - Mr. Andrew Post explained the Certificate of Completion changes. Board Member Wright asked that we adjust the wording to make a section D that EOC waiver not just up to the Principal - make it more objective. Chairman Couch asked that she work with Mr. Post on the wording.
  - Section 4.20 - Board Member Fischer asked why we would not take advantage of the Florida Statute change that would allow local control of the textbook adoption process. Board Member Wright, who has served on State adoption committees in the past, shared that this was an extensive process, involving thousands of books, and that it took several committees made up of professionals. It is not a process that could be handled by an individual District.
- Chairman Couch asked the Superintendent to provide the Board with information on the percentage of students leaving Magnet programs and returning to the public schools.
- Board Member Wright expressed her appreciation about the Marketing Plan and the fact that the entire team was present for the presentation.
- Chairman Couch updated the Board on the transition of the Constituent Services and Board Member Request systems return to the Board office. The BMR system is back as of today. The IT staff will make the necessary adjustments to the CS system for a return date of October 1, 2014. The Superintendent would like to continue tracking his items, which will be input by his staff, so it is necessary to add another field to the system. Chairman Couch discussed definitions for prioritizing items.
  - Urgent will be a 24 hour call timeline and a 48 hour e-mail response. Urgent issues would be life threatening concerns, severe bullying, can't enroll students, etc.
  - Priority will be a 48 hour call timeline and a 72 hour e-mail response. Priority items will include bus stops, overcrowded buses, etc.
  - Routine will be a 5 day response timeline. Most issues will fall within this category.
- If an issue is sent to all Board Members, it will be logged for the member whose district the school is in, but all will be copied on the response.

- Reports will be submitted to the Board on a quarterly basis, as outlined in the Policy. The quarterly reports will start with January of each year, and the reports will be sent to the Board no later than the first week of the month following the end of a quarter.
- Board Member Wright shared that Dr. James Young had published his book - *The One Year School Turnaround*.

Adjournment

[ADJOURNMENT](#)

Minutes:

The Chairman adjourned the Committee Meeting at 3:15 p.m.

BSC

We Agree on this

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Superintendent

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Chairman