

Approved in Open Board Meeting, March 1, 2011

**THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT**

**February 1, 2011
Tuesday, 9:45 a.m.**

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 9:57 a.m., Tuesday, February 1, 2011, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Benjamin J. Williams; Vice Chair Ann Murray; Members, Robin Bartleman, Maureen S. Dinnen, Patricia Good, Jennifer Leonard Gottlieb, Laurie Rich Levinson, Nora Rupert, David Thomas; Superintendent James F. Notter, and Marilyn Batista-McNamara, Esq.

Call to Order Mr. Williams, Board Chair, called the meeting to order and led the Pledge of Allegiance to the Flag of the United States of America.

Minutes for Approval Motion was made by Mrs. Rupert, seconded by Ms. Dinnen and carried, to approve the official minutes for the following Board Meetings: (9-0 vote)

January 19, 2011 – Special – 1st Public Hearing – School Boundaries for 2011-2012 School Year

Close Agenda Upon motion by Mrs. Good, seconded by Ms. Dinnen and carried, the Agenda was approved and declared closed. (9-0 vote)

SPECIAL PRESENTATION

Paul Davis Restoration, Inc. Award to Coconut Creek Elementary School

Paul Davis Restoration, Inc., was recognized for sponsoring the Fire Safety Project Video Contest on YouTube and awarding Coconut Creek Elementary School a \$10,000 grand prize.

On behalf of the School Board, Mrs. Gottlieb congratulated and praised the students and school, who appeared via teleconference, along with their Principal, Katherine Good, 2nd grade teacher Marcia Fay, and 3rd grade teacher Michele Rothacker for producing their winning video. Mrs. Gottlieb stated that more than 60 videos were submitted and the entries were voted on by the public on YouTube.

Mrs. Gottlieb further stated that in addition to presenting a check to the school, Paul Davis Restoration, Inc. made a \$2,500 donation to the Coconut Creek Fire Rescue that serves the school.

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Mr. Gordon Berken, Paul Davis Restoration, Inc., informed that the contest was held in Florida and he is delighted that his hometown presented the winning video.

Mr. Berken stated that kids were taught about fire safety, social media and putting together videos, thus creating a community effect with the fire departments. He stated that with the winnings the students will be purchasing technology for their school.

The winning video was viewed for the School Board and assembly.

Mrs. Rupert praised the Cougar Cubs for doing a great job on their video.

Mrs. Gottlieb thanked Mr. Berken and Paul Davis Restoration for supporting and sponsoring the competition.

Broward League of Cities Scholarship Program

Mayor Debby Eisinger, Second Vice President, Broward League of Cities, and Chair of the League's Education Advisory Board, provided a historical background of the Broward League of Cities, a non-partisan, non-profit membership organization that includes representation from all Broward's 31 municipalities, including the School Board, a long-standing associate member.

Mayor Eisinger, City of Cooper City, stated that the members work together to promote the awareness of municipal services concerns and accomplishments. A major goal of the Broward League of Cities is to support the future leaders of Broward County.

Mayor Eisinger discussed the Broward League of Cities' Student Ambassador Program, which will give four high school students an opportunity to learn about municipal government from behind the scenes. The program is aimed at students who are interested in pursuing careers in government, which will provide firsthand insight into public service. Board Members were invited to attend the recognition of the new student ambassadors on February 17, 2011. Previous recipients have included students from Pompano Beach High School, Western High School, Pembroke Pines Charter School, and Coral Springs Charter School.

Mrs. Good thanked the Mayor for her leadership in the advocacy for public education and being involved in the City of Cooper City's schools. Mrs. Good thanked the League for the Ambassador and Scholarship programs.

Mrs. Rupert stated that the criteria for the scholarship is a 2.5 grade point average, which opens up the program to students who do not have higher grade point averages. Mrs. Rupert thanked the Mayor for her leadership and partnership.

Expressing gratitude for the program, Ms. Dinnen stated that this year there was a more spirited partnership than in the past. She thanked the Mayor for her cooperation and leadership.

Mr. Notter stated that as a result of the district's collaboration, the Area Superintendents have communicated information in their networks to ensure that the schools, if they have events, pass the information to the various municipalities.

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Student Advisors Maria Rincon and Graham Rabinowitsch, on behalf of the students of Broward County, thanked the Mayor for the opportunity for local students to apply for the scholarships. Praise was given to the lower GPA criteria, which shows the balance that students must have in school with academics and extra-curricular involvement. Gratitude was expressed for creating the relation with city governments and providing positions for students to become more involved.

The BCASC looks forward to a continued partnership and the students who become ambassadors will have an opportunity to join in positions on the Civic Engagement Committee of the BCASC.

The Mayor informed that the League of Cities would like to attend the BCASC meetings and share what is happening in the municipalities.

Mr. Williams, on behalf of the School Board, expressed gratitude to the League of Cities for all they do for the school district.

South Florida Food Bank and Walmart Donation to Sunland Park Elementary School

The South Florida Food Bank and Walmart were recognized for their generous donation to Sunland Park Elementary School at the Backpack Giveaway event that was held January 14, 2011.

Mrs. Bartleman introduced Ms. Juli Zeno, Director, Agency Relations, Feedings South Florida; Ms. Anthea Pennant Isaacs, Director of Development, Feeding South Florida; Shawn Allen, Principal, Sunland Park Elementary, and staff; Karen Procelli, Behavior Specialist; and Melanie Berkin, Social Worker.

Mrs. Bartleman provided a historical background of the backpack program; stating that through the partnership which began with Feeding South Florida and Collins Elementary School, the location of the Teachers Store, provide food for children on Fridays so they are able to eat during the weekend.

(A video was shown highlighting the program).

Mrs. Bartleman further stated that Walmart donated \$175,000 for the backpack program for over 300 students for one year. Some of this funding will also support the Mobile Pantry with fresh food and vegetables to approximately 250 families. Wachovia Bank donated \$15,000 to extend the feeding program.

On behalf of the School Board, Mr. Williams congratulated the South Florida Food Bank for everything they do for the schools, students and community.

Mr. Williams introduced Mr. Jerry Gomez, Marketing Manager, Walmart, for their initiative in donating school supplies to Haitian students.

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Mr. Gomez stated that Walmart is excited about giving back to the community and looks forward to continuing the partnership with the district.

REPORTS

ESE Advisory Council – Robert Mayersohn

Mr. Mayersohn reported that ESE met on January 10, 2011, with attendees School Board Member Mr. Thomas, Superintendent Notter, Lynette Tannis, Kathrine Francis, Director, Student Support Services and ESE; and Mr. Scott Jarvis, Assistant Director Administration, North Area.

A discussion was held regarding the use of restraint and seclusion in schools. A request of the district was made to receive updated information on the number of incidents that both restraint and seclusion have been implemented. ESE Advisory has ordered the Substance Abuse and Mental Health Administration (SAMHSA) 30 minute DVD, and to collect as much information on alternatives.

A DAC motion was also discussed, which referenced ESE students being allowed extended time on the Algebra I EOC. Information was shared that the Florida Department of Education confirmed that if a student's IEP indicated extended time over multiple days as a testing accommodation it would be an allowable accommodation on the Algebra I EOC. There are stipulations, one being that a paper test must be used.

A second motion was held that ESE Advisory and the School Board support the efforts and hard work of the Parkland Disability Advisory Board. This school-based organization at Stoneman Douglas High School was created to empower students and school personnel in how to reduce barriers, increase access, promote awareness of disabilities and its history, and improve the lives of students with disabilities.

Mr. Mayersohn further reported on the Dan Marino Walkabout Autism event on January 29, 2011 at Sun Life Stadium, with 6,000 in attendance, including participation by Broward Schools.

A comprehensive written report was submitted to the Board, which includes a Resolution support for Parkland Disability Advisory Board.

Mrs. Good requested the inclusion of the ESE Advisory Council amongst the various committees to the November 2011 Organizational meeting in order to make the appointments at the beginning of the year and have a full committee structure.

Mr. Mayersohn clarified that the bylaws indicate the Board Members "shall" make appointments.

Mr. Notter informed that the November Organizational meeting will be adapted to include this committee.

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Broward County Association of Student Councils and Student Advisor to the Board – Maria Rincon and Graham Rabinowitsch

Maria introduced student Emily Pender, Coral Springs High School, President of the Broward County Association of Student Councils (BCASC).

Emily provided the Board Members with shirts the BCASC is selling to raise funds for leadership scholarships. She also included an invitation to all Board Members to speak at BCASC meetings.

Maria, on behalf of the BCASC, extended an invitation to all School Board Members to the Outstanding Senior Leaders Banquet, which will take place March 3, 2011.

Under the BCASC, schools are running two competitions to raise funds for Joe DiMaggio Children's Hospital. Also, the BCASC created an Ad Hoc committee to advise Joe DiMaggio staff on activities more conducive to high school students participating in fundraising efforts.

Gifted Advisory Council (No report submitted)

Mrs. Bartleman informed her colleagues that she attended the Gifted Advisory Committee meeting which was very well attended. Mr. Chris McGuire spoke about Broward Virtual program, the number one virtual K-12 school in the state.

Facilities Task Force – Charlotte Greenbarg

Mrs. Greenbarg stated that comments were made at the January 25, 2011 School Board meeting on Facilities Management and Construction agenda items regarding the incorrect report as regards the Plantation cafeteria. Mrs. Greenbarg clarified that the report did not include Plantation, and the community of Parkland expressed interest in a K-8 school.

Mrs. Greenbarg stated that the prioritization of projects is strictly a Board decision and not a decision of the Facilities Task Force.

Responding to Mrs. Bartleman's inquiry, Mr. Donnie Carter, Chief Operations Officer, Office of the Chief Operations Officer, stated that he met with Mrs. Greenbarg and representatives of the Facilities Task Force and informed that based on the information available at the time, that the program was not a feasible approach. Mr. Carter stated that information will be gathered from other districts in the country to ascertain whether their programs could apply to Broward County. Information will be provided to the Task Force prior to the next Task Force meeting.

Mrs. Bartleman requested that she be provided a reason regarding the Bus Pilot Program not being feasible.

Mrs. Good requested an update to the regarding the proposed locations of their meetings.

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District Advisory Council – Jeannie Jusevic

Mrs. Jusevic reported that DAC met on January 12, 2011, with a record-number of members and guests attending. Topics for discussion included the upcoming Legislative Session, Policy 6000.1, School Board Ethics, Matrix comparing Senate Bill 6 and proposals being considered for this year's session, and the Strategic Communication Plan. Due to the high number of new members to DAC, training was conducted on the roles and responsibilities of DAC members and parent leaders.

A motion was brought forward to recommend that the Superintendent make a district-wide announcement through parent link that there is a zero tolerance policy for bullying. A second motion was made that ESE students whose IEP allows them additional time during testing be allowed to take End of Course exams over a multiple-day period, thus preventing students from being tested continuously for 4 to 5 hours in one day. Both motions carried.

Ms. Jusevic further reported that discussion was held regarding live streaming of School Board workshops; security measures at School Board meetings; the lack of school demographics available on the web; the Magnet Open Enrollment; boundaries; and the suspension and expulsion rate.

DAC will next meet on February 9, 2011, at 6:30 p.m.

Mrs. Bartleman concurred with the DAC recommendation regarding the public announcement. She requested the Superintendent to remind the students that there is a zero tolerance policy for bullying.

Board Members Mrs. Bartleman, Mrs. Rich Levinson, Ms. Dinnen and Mrs. Rupert requested BECON morning announcements in every school; include the hotline to report bullying incidents; review Facebook hate groups; and have Special Investigative Unit (SIU) to routinely review Facebook and Google sites to shut them down.

Concurring, Mr. Notter stated that a comprehensive approach will be taken in this matter.

BOARD MEMBERS

Ms. Dinnen informed her colleagues that she attended the Oakland Park City School Partnership Breakfast. She stated that the city recognizes all students and schools in Oakland Park during their annual Youth Day event. Ms. Dinnen stated that the city reaches out to the students and schools on a continuous basis.

Ms. Dinnen informed that she attended Virginia Shuman-Young Elementary School's Blue Ribbon Celebration, a national award in which four public schools in Florida received, which was attended by representatives from Washington, D.C., Tallahassee, the mayor of Fort Lauderdale, including the Superintendent and four School Board Members.

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Ms. Dinnen stated that the property has been used as a public school property for a long time and the initiative of converting the school to Montessori has been challenging. Virginia Shuman-Young was featured in Go Riverwalk magazine, showcasing their outreach program for providing holiday meals.

Informing her colleagues that in fiscal year 2010 the district saved over \$4 million on electricity costs, Ms. Dinnen expressed gratitude to Mr. Rob Jindrcek for directing this savings program.

Ms. Dinnen informed that South Plantation High School will celebrate its 40th anniversary on February 19, 2011, with a ceremony and school tour beginning at 11:30 a.m. The athletic field will be dedicated to their long-time athletic director, Sandra Darr, and the field will be known as the Sandra Darr Field. The school's horticultural program was invited to set up displays at the Florida Fair in Palm Beach County and the Florida State Fair in Tampa.

Ms. Dinnen stated that Tropical Elementary's PTA teamed up with Home Depot and Stacy Bomar Construction Company to clean up the school for its 40th anniversary, donating material, equipment and personnel from their businesses to help out.

Ms. Dinnen stated that the Media Specialist at Seagull Alternative School, Susan Davis, received a special award, The Holocaust and Human Rights Exemplary Educator for 2010. This award is a tribute to Ms. Davis' work at Bennett Elementary, setting up her program to acquaint children with the Holocaust and its ramifications. She will visit the Holocaust Museum in Washington and will have a 3-week study program in July on this subject.

Ms. Dinnen attended the Lynn University event featuring Ms. Diane Ravitch, a historian of education, who spoke on education issues; high-stakes tests, use of Choice, No Child Left Behind, and the mayoral takeover of certain school districts in the country. Ms. Dinnen thanked Senator Maria Sachs for bringing this event to the area, and suggested that Nova-Southeastern University host Ms. Ravitch for a similar event.

Mr. Thomas congratulated the six finalists for the 2012 Teacher of the Year: Marc Horowitz, Alvin Davis, Beth Goldman, Julia Perlowski, Lazslo Nagy, Frederica Carter, an event that exemplifies the outstanding teachers in Broward County. The Teacher of the Year will be selected on February 16, 2011.

Condolences was extended to the Imagine Charter School family, staff and community, for the loss of 1st grader Gwendolyn Hall who was involved in a car accident with her grandfather, who is in critical condition.

Mr. Thomas invited his colleagues to the All County Orchestra concert on Wednesday, February 2, 2011, Coral Springs Center for the Performing Arts. Mr. Thomas said he will be emceeing the event.

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Mrs. Rich Levinson congratulated the National Safety Poster contest winner, Melanie Blethen, Eagle Point Elementary School student who won 1st place in the Hispanic Heritage Month Safety Poster contest. She received a mini-laptop and a framed copy of her poster which will be displayed at her school. In addition, her poster will be printed on a safety-tip bookmark to be distributed to other schools, community centers and libraries.

Mrs. Rich Levinson attended the Broward Education Foundation's Kids in Need Resource Center grand opening on January 26, 2011, a center where teachers from Title I schools will be able to go and pick up supplies for their students. Gratitude was extended to community members and businesses who came forward to make this center possible.

Mrs. Rich Levinson attended the Sunrise Education and Voluntary Pre-K Expo on January 21, 2011, featuring all PTAs from the various Sunrise schools and VPK opportunities in Sunrise. Gratitude was extended to the Sunrise Education Advisory Board for sponsoring this event. Mrs. Rich Levinson also attended the AP Art Exhibit and All County Band concert on January 24, 2011, an "amazing" event showcasing students who had only practiced together a couple of times.

Mrs. Rich Levinson also visited and spoke with teachers and principals at Nob Hill Elementary School, Discovery Elementary School, Banyan Elementary, Sandpiper Elementary, Westpine Middle School, Piper High School, and Western High School.

Mrs. Rich Levinson informed her colleagues that Piper High School provided college scholarships to their Advanced Placement scholars. She stated, it is rewarding to see some of the students come back and receive their scholarships, along with the students currently in school, for their performance on AP exams.

Mrs. Rich Levinson informed her colleagues that Country Isles Elementary School hosted their Author in Residence Jayne Bonilla on January 19, 2011 for a writers workshop and session with the students.

Mrs. Rich Levinson attended the City of Lauderhill Education Advisory Board meeting and learned about the Lauderhill Middle School's mentoring program, Boys to Men. She requested that staff consider expanding this incredible program in the district's schools.

Mrs. Rich Levinson expressed gratitude to the Mathematics department staff for meeting with her to review the Go Math program in elementary schools, along with the new mathematics standards.

Mrs. Rupert informed her colleagues that she has changed her political website to School Board related issues for her district and throughout Broward County.

Mrs. Rupert stated that Toyota Motor Sales, U.S.A. has notified Atlantic Technical Center's Principal Robert Crawford that the school's Toyota Technical Education Network (TTEN) program is one of the five best in the nation.

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Mrs. Rupert reported that Crystal Lake Middle School student Victor Williams was a witness to a hit and run accident while on the way to the school bus stop. Victor wrote down the driver's license plate number which was instrumental in locating the hit and run driver. Victor received a \$25 gift card to McDonald's for his good deeds.

Mrs. Rupert informed that Norcrest Elementary School received a \$4,500 grant from Lowe's Toolbox for Education which will be used to build a sensory garden at the school. Tradewinds Elementary School is the only Broward elementary school to receive a grant from the Florida Dairy Council for their Fuel Up to Play 60, a health and wellness program. Today, Pompano Beach High School is hosting a Distance Learning event: *Improvise Shakespeare*, in conjunction with Boyd Anderson, Dillard and Cooper City high schools through BECON.

Mrs. Rupert attended the Coconut Creek Lunch Bunch on February 1, 2011, a monthly luncheon sponsored by the City of Coconut Creek whereby they invite Coconut Creek school principals and community leaders to discuss school issues and community issues.

Mrs. Rupert informed her colleagues that she will host a Community Forum on Thursday, February 10, 2011, Pompano Beach High School Media Center. Topics for discussion will be ESE and Gifted Students: Success Through Empowerment, Student, Parent, Teacher, Community and District Perspectives.

Mrs. Bartleman introduced Ms. Jeanne Gilbert, Community Affairs Officer, Wachovia Bank. Gratitude was expressed to Wachovia for making a very large donation to keep the Backpack program going.

Ms. Gilbert thanked the Board for their acknowledgment and said that Wachovia was thrilled to get behind Feeding South Florida and partnering with Walmart on this initiative. She stated that Wachovia takes reducing the achievement gap for lower-income and at-risk youth very seriously, and it involves one-third of the bank's giving in Broward County and throughout Florida. Ms. Gilbert stated that Wachovia looks forward to future partnerships with Broward schools.

Mrs. Bartleman stated that she visited Coconut Creek and attended the Oakland Park breakfast. Mrs. Bartleman participated and assisted in the Dan Marino Walk, a successful event that included schools from across the county.

Mrs. Bartleman congratulated Ms. Dawn Yates, Lauderdale Manors Elementary School, Non-Instructional Employee of the Year. Gratitude was expressed to Ramblewood Middle School Principal Tina Recchi who sent her a file on ideas on how to save money, which she will share with Mr. Notter. She stated that as the budget process moves forward there should be a 1-800 number whereby people can submit their ideas. Mrs. Bartleman suggested having a forum so that people can post their ideas, as this would help the budget process; involving the community and staff and getting those ideas on record.

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Mrs. Bartleman suggested that the Board discuss the importance of having a 3rd party audit the district for inefficiencies, especially in technology and other areas. She reminded her colleagues that this was done in the past, in Maintenance, which saved the district a lot of money; an audit of Workman's Compensation. Mrs. Bartleman stated that the Board needs to become more efficient on the business side.

Mrs. Bartleman announced that Schools for the Arts held their Open House on January 23, 2011 – January 30, 2011; students participate on specific artistic fields without sacrificing academics. Mrs. Bartleman stated that home schools need to be competitive and the district needs to change how to market themselves when making budget decisions. She suggested that the Board make a list of priorities and go through the process in that manner.

Mrs. Bartleman thanked the Broward Teachers Union (BTU) for hosting their Education Forum, which brings in the community. The forum will be held in three sessions. Mrs. Bartleman stated that it was a great start in re-building the partnership between the school district and the BTU, as it is important to work with the teachers and the community to save public education.

Mrs. Gottlieb informed her colleagues that she conducted her Paul Davis Restoration special presentation in lieu of a Board report.

Ms. Murray congratulated South Broward High School Girls Basketball Team for capturing the 6A title this past weekend.

Ms. Murray informed her colleagues that Sheridan Park Elementary participated in a Lego Robotics Team Competition at Carlton School of the Sacred Heart in Coral Grove; 16 teams participating. The school's two teams, Mega Minds received the Professional Award and the Body Builders received the Against All Odds Award.

Ms. Murray reported that Christian Chung, a Senior at the Broward College Academy, majoring in Political Science, had an article published, The Killer Tiger Roared: A Strategic Analysis of Sri Lankan "Kinetic" Counterinsurgency and its Theoretical Implications in The Small Wars Journal. Christian's mother is a teacher at Flanagan High School.

Ms. Murray attended Apollo Middle School's Open House for their Magnet program, Aeronautics Science Innovation program which advanced to a magnet, including the Science, Technology, Engineering, and Mathematics (STEM) program. This well-attended Open House showcased the leadership of the school's staff and the exciting program. Gratitude was extended to Principal Lourdes Gonzalez for re-capturing over 132 students who had left to other locations.

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Ms. Murray stated that she spoke with McArthur High School Principal, Mr. Mark LaPace who indicated that the Senior Class participated in the Toys for Tots Drive. The Title I school and students, who live in a predominately middle-low income area, distributed gifts to families in need. Over 500 toys were collected, making it the top school in Broward and Miami-Dade counties in toy collections. McArthur High School Band will perform at the Boulevard Heights Community Center Amphitheatre, on February 12, 2011, beginning at 7:00 p.m.

Hollywood Hills High School Band Director, Mr. Chandler Wilson, was one of 16 teachers selected in Florida to be a member of the Emerging Leadership Committee. The committee was created by the Florida Music Educators Association Board as a vehicle to connect outstanding teachers who are working within their first decade of professional music teaching with leadership and mentoring opportunities.

Ms. Murray announced that Broward College Academy student Louis Villa was awarded a QuestBridge Scholarship of over \$1,000, and will be attending Rice University. To date, students have received over \$2 million in scholarships.

Ms. Murray extended good wishes to Teacher of the Year candidates.

Mrs. Good attended the Innovative showcase in December 2010 highlighting the district's magnet programs. Positive feedback from parents indicated that the best part of the event was how the students showcased the best parts of the programs and viewing the success of those schools.

Mrs. Good attended the Book Giveaway at Annabel C. Perry Elementary School; over 26 members of the Rotary Club of Miramar/Pembroke Pines gave over 400 books to the students in grades K-4. Principal Davida Johnson was on hand at this successful event which was highlighted by the media. Mrs. Good informed that the Rotary Club has also started an interactive group with Everglades High School.

Mrs. Good attended Walter C. Young's Middle School's Naturescape event that is sponsored by the Science Club, which introduced some true innovative programs to students. The students had an opportunity to learn about science and also participated in the release of a bird back to health, flying to trees that students had planted within school grounds. Mrs. Good hosted a spelling bee at Walter C. Young, and thanked staff for their assistance at this exciting event that showcased the talents of the students.

Mrs. Good informed that the Pembroke Pines Charter School, east campus, had a HALO event (Helping, Accepting and Loving Others) and each year the school sponsors another school in the community. This year the school sponsored Paul Turner Elementary School; students held fundraisers by selling pizza, holding dress-down days and business partnership donations. Each classroom was assigned a family; they raised over \$4,000 and delivered over 700 gifts to 31 families at Paul Turner. Mrs. Good stated that this happy event during the holidays was made possible by one group of children helping another group of children.

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Mrs. Good stated that the East Miramar Homeowners Association partnered with Fairway Elementary School and Principal Joretta Campbell during the holidays by providing refreshments and food to all students; music was provided by the chorus group. The event was attended by City of Miramar officials and County Commissioner Barbara Sharief.

Mrs. Good thanked the City of Pembroke Pines for highlighting the Reflections PTA program honorees, which showcased students with their accomplishments through Literature, photography, visual arts, dance, and musical composition.

Mrs. Good acknowledged Ms. Dinnen for being recognized by the Planning Council at their meeting, stating that the recognition shows the great work that she has done with the council.

Mrs. Good reported that the Silver Trails Middle School Girls Basketball team won the championship game, which she attended. Congratulations was extended to the team for showing great passion. Congratulations was also extended to Pines and Westglades middle schools who held their games. Mrs. Good commended the leadership of Mr. Carlton Campbell, Principal, Pines Middle.

Mrs. Good thanked the BTU for hosting the Education Forum, an informative event that brought a lot of people together.

Mrs. Good hosted the Broward County All-County Elementary and High School Honor Choir Concert on January 26, 2011. Congratulations was extended to all students within the arts and choir programs.

Mrs. Good announced that the Innovation Zone Science Exhibition was well attended, which highlighted the K-12 involvement of students through a science program.

Mr. Williams reminded his colleagues that on January 25, 2011, a Resolution was passed by the School Board in support of Black History Month, celebrated in February.

Mr. Williams attended the Open House of the Performing Arts and the Emerging Technology at Dillard High School, with over 300 participants from throughout the county. Congratulations to the students, Principal Merceda Stanley and Dillard High School for a successful event.

Speakers

Stephanie Sardelli

Mary Fertig

Billy Davison

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the Consent Agenda for the remaining items (**identified by ***). (9-0 vote)

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A. RESOLUTIONS

- A-1. Resolution in Support of Women's History Month – March 2011
(Adopted)

Motion was made by Mrs. Good, seconded by Ms. Murray and carried, to adopted Resolution #11-75, in support of Women's History Month – March 2011. (9-0 vote)

Ms. Dinnen informed her colleagues that she visited Seneca Falls, New York, site of the national museum dedicated to women's rights and the site of the first women's convention of women's rights in 1848. This began the recognition for women's right to vote, which culminated in 1920 with the 19th Amendment.

Acknowledging the anniversary of the Challenger tragedy, Ms. Dinnen discussed teacher Christa McAuliffe, a brave role model and history teacher who took a chance in a national project. Ms. Dinnen praised Women's History Month; to recognize the accomplishments of women in the past and to inform and encourage young women to follow in the steps of brave women that are doing things that benefit our country.

- *A-2. Resolution in Support of Music in Our Schools Month – March 2011
(Adopted)

Adopted Resolution #11-76, in support of Music in Our Schools Month – March 2011.

- *A-3. Resolution in Support of World Languages Month – March 2011
(Adopted)

Adopted Resolution #11-77, in support of World Languages Month – March 2011.

- *A-4. Resolution in Support of a Renewable Energy Policy (Adopted)

Adopted Resolution #11-78, in support of a Renewable Energy Policy.

- *A-5. Resolution in Support of February as Teen Dating Violence Awareness and Prevention Month
(Adopted)

Adopted Resolution #11-79, in support of Teen Dating Violence Awareness and Prevention Month.

B. BOARD MEMBERS

B-1. Employment Agreement for Marylin Batista-McNamara as Interim General Counsel (Approved)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Rupert and carried, to approve the Employment Agreement of Marylin Batista-McNamara as Interim General Counsel. (9-0 vote)

At the December 14, 2010, Special School Board Meeting, the School Board authorized advertising for an Interim General Counsel from within the Office of the General Counsel. A memorandum advertising the opportunity was provided to each internal candidate. Interested candidates were given until January 4, 2011, to submit a resume and cover letter. Two candidates from within the Office of the General Counsel submitted a resume and cover letter expressing their interest in the position of Interim General Counsel.

At the January 11, 2011, Special School Board Meeting, the School Board interviewed both candidates. After the interviews were concluded, the School Board Members voted to authorize the recommendation of Ms. Marylin Batista-McNamara as Interim General Counsel and for the Board Chair to enter into negotiations with her for an interim contract.

Contract discussions were conducted between Ms. Batista-McNamara and the Board Chair, and the Agreement was prepared for consideration and approval by The School Board. Ms. Marylin Batista-McNamara will serve in the capacity of Interim General Counsel until such time as the advertising, interviewing and selection process is completed for the General Counsel position.

An additional cost (including Florida Retirement and FICA increases) for the Interim General Counsel position for the three months is estimated to be in the amount of \$16,573. The vacant General Counsel position cost for the three months is \$60,924. Therefore, the net savings will be approximately \$44,351.

Mr. Williams stated that it was rewarding to negotiate the contract with Mrs. Batista-McNamara.

Mrs. Bartleman congratulated Mrs. Batista-McNamara.

Noting the positive interaction and cooperation with the Board Attorney's office, Mrs. Good thanked Mrs. Batista-McNamara for continuing to move forward in a professional manner.

Ms. Murray praised Mrs. Batista-McNamara's handling of the district's legal cases during her tenure with the school system.

D. OFFICE OF THE CHIEF AUDITOR

E. CHIEF OPERATIONS OFFICER

- *E-1. PCG BehaviorPlus™mobile (Approved)

Approved the Agreement between The School Board of Broward County, Florida, and Public Consulting Group, Inc., (PCG) for the BehaviorPlus™mobile Service to utilize with our current Electronic Management System, EasyIEP®.

In October 2009, the Florida Department of Education came to Broward as part of the State's Level 3 Monitoring. Their conclusion was, although there was a vast amount of behavior data collected, there was not a means to analyze such data. The analysis of collected data is necessary to be able to move students to their least restrictive environment, as well as, to meet IEP goals.

PCG has developed BehaviorPlus™mobile Service. This program would work alongside of EasyIEP®. This component will provide the capability to capture behavior frequency, duration, ABC (Antecedents, Behavior, Consequences) and goal progress events for students through the use of a Personal Digital Assistant (PDA). This data will synchronize into EasyIEP® where users will be able to view, edit and analyze data collected. Included in the proposed three year agreement, PCG will provide 300 HP iPAQS loaded with the BehaviorPlus™mobile software, initial training of 300 District staff, technology support, and drill down data reports.

The Agreement(s) have been approved as to form and legal content by the School Board Attorney.

The financial impact to the district is \$340,100. The source of funds is ARRA stimulus funds under IDEA. There is no additional financial impact to the district.

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

- *F-1. Continuation Agreements with Various Health Care Facilities (Approved)

Approved the continuation agreements between The School Board of Broward County, Florida, State of Florida, Department of Health, and Plantation General Hospital.

Approved in Open Board Meeting, March 1, 2011

Health Science Education Programs provide secondary and postsecondary career and technical students with clinical learning experiences through contractual agreements with hospitals, nursing homes, and other facilities. The continuation agreements with State of Florida, Department of Health and Plantation General Hospital will provide clinical experiences to Broward County Schools' Health Science Education students. On-site clinical experiences are necessary to meet curriculum frameworks, student performance standards, and requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

The Health Science Education Programs that are located at 24 high schools are: Allied Health Assisting, First Responder, Nursing Assistant, and Practical Nursing.

The Health Science Education Programs that are located at the technical centers are: Central Service Technology, Dental Assisting, Medical Coder/Biller, Electrocardiograph (Cardiovascular) Technology, Health Unit Coordinator, Hemodialysis Technician, Massage Therapy, Medical Assistant, Medical Records Transcribing, Medical Lab Technology, Optometric Technician, Patient Care Technician, Pharmacy Technician, Practical Nursing, Emergency Medical Technician and Surgical Technology. Currently, The School Board of Broward County, Florida, has 43 School Board approved agreements with various health care facilities.

Plantation General Hospital will sign agreement following School Board approval.

These agreements have been reviewed and approved as to form and legal content by the School Board Attorney.

There is no financial impact to the district.

F-2. Career, Technical, Adult and Community Education (CTACE) Period Three: Marketing Expenditures March through June 2011 (Approved)

Motion was made by Mrs. Good, seconded by Ms. Dinnen and carried, to approve the CTACE Planned Marketing Expenditures for Period Three – March through June 2011. (9-0 vote)

Through the various components of the CTACE marketing and promotion activities, the community is made aware of the many opportunities to enroll in Post Secondary Career & Technical, Adult General and Community Education Programs, courses and activities for workforce/career development & enhancement, adult literacy, and personal improvement at Broward Technical Centers, Adult Centers and Community Schools.

Approved in Open Board Meeting, March 1, 2011

Over 200,000 students enroll annually as a result of the District's marketing and promotion efforts. The District CTACE Marketing Committee, in partnership with Omni Advertising, our advertising agency of record, developed the planned expenditures for March through June 2011.

CTACE marketing and promotion efforts will continue implementing effective strategies that focus on promoting and driving potential students to Browardeducator.com, Browardtechcenters.com and Mycommunityschool.com.

During March through June 2011, the CTACE marketing and promotion expenditures will consist of: targeted radio, TV, direct mail, billboards, on-line banners, e-mail blasts, text messaging, and the district's phone robot. Marketing and promotion expenditures during this period also include search engine marketing, website maintenance, production services, and social media management.

The funding to cover the cost of the CTACE marketing and promotion expenditures during the third period of 2011 will be derived from an allocation of \$67,500 from the Workforce Education Fund and contributions from student fees collected by the technical, adult and community schools. The technical centers will contribute \$73,500; the community schools will contribute \$35,700 and the adult centers will contribute \$14,000. The total CTACE marketing and promotion expenditures during the months of March, April, May and June 2011 is \$190,700.

The financial impact to the district is \$190,700. The source of funding is Workforce Education and student fees. There is no additional financial impact to the district.

Mrs. Rupert expressed gratitude to Dr. Leontine Butler, Deputy Superintendent, Curriculum, for providing information regarding the Marketing Committee allocating the budget for marketing funds. Mrs. Rupert stated that her idea was to have journalism students and possibly BECON be considered when the district goes out to bid with its advertising. Mrs. Rupert stated that the district has tremendous journalism and marketing programs which would help to reduce costs with advertising, and provide students valuable training.

G. HUMAN RESOURCES

- *G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2010-2011 School Year (Approved)

Approved the personnel recommendations for the 2010-2011 appointments and leaves as listed in the Executive Summary and respective lists for Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. The teacher approvals on this G-1 item are teachers in subject areas for which there is no surplus and/or layoff teacher in that certification area that could be placed in these positions.

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Substitute Teachers
3. Interim Substitute Teachers
4. Instructional Leaves

There will be no financial impact to the school district. Funding for the positions has been allocated in the school and department budgets.

- *G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2010-2011 School Year (Approved)

Approved the personnel recommendations for separation of employment or discipline as listed in the respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Resignations/Retirements/Layoffs

There will be no financial impact to the school district.

Approved in Open Board Meeting, March 1, 2011

*G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2010-2011 School Year (Approved)

Approved the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Non-Instructional Employees include the following sections:

1. Non-Instructional Approval(s)
2. Non-Instructional Reassignment(s) – Promotion(s)
3. Non-Instructional Reassignment(s) – Demotion(s)
4. Non-Instructional Substitutes/Temporaries
5. Non-Instructional Leave(s) – Layoff(s)
6. District Managerial/Professional/Technical
7. Reassignment of Current School-Based/District Managerial/Professional Technical Personnel
8. School-Based Managerial
9. School-Based/District Managerial Acting/Special/Task Assignment(s)
10. School-Based/District Managerial/Professional/Technical Leave(s) – Layoff(s)
11. Salary Adjustment

Funding has been budgeted in 10-11 fiscal year for all appointments through June 30, 2011.

Ms. Murray announced one newly-appointed district personnel.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2010-2011 School Year (Approved)

Motion was made by Mrs. Bartleman, seconded by Ms. Dinnen and carried, to approve the personnel recommendations for separation of employment or discipline as listed on the respective lists for Non-Instructional staff. (9-0 vote)

All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

Approved in Open Board Meeting, March 1, 2011

The Personnel Recommendations include the following items:

Non-Instructional Resignation(s)/Retirement(s)
Non-Instructional Suspension(s)/Termination(s)
Managerial and Professional/Technical Resignation(s)/Retirement(s)
Managerial and Professional/Technical Suspension(s)/Termination(s)

There is no financial impact to the school district.

Mrs. Rupert expressed gratitude to staff for providing the documentation regarding the employee's reprimand, key elements in the progression plan. Mrs. Rupert voiced concern over the amount of suspension on an issue that dates back more than two years, stating that it should have been "stepped up."

Ms. Gracie Diaz, Associate Superintendent, Human Resources, informed that backup documentation was provided to the Board regarding the employee's various violations in the past. Ms. Diaz stated that staff is working through the Progressive Discipline model that is dictated in Policy 4.9, depending on the severity of the offenses. Ms. Diaz further stated that at this point it would be difficult to recommend a termination; the employee is being monitored closely and the principal is ensuring that staff will act on any other violations of contract or policy in order to ensure that action is taken immediately.

Mrs. Rupert stated that the public wants to know why the process took two years to process.

Ms. Diaz responded that the employee took a leave of absence in-between the documentation process. She said that oftentimes when employees are in documentation they avail themselves of the option of a leave so they are able to be reassigned to a particular site.

Ms. Dinnen inquired whether there is a procedure in place that if the documentation is not what it should be that training is provided to the supervisor.

Responding affirmatively, Ms. Diaz stated that there are two Evaluation Coordinators that work with all district administrators. When staff ascertains that the issue could have been done better, staff will work with the Area office and the individual is provided individual assistance or a training course is provided as a reminder. Ms. Diaz further stated that each year this training is provided as part of Leadership Training for principals.

Mrs. Bartleman inquired whether a determination was made regarding the "loophole" of the leave and whether it was included in the contract.

Approved in Open Board Meeting, March 1, 2011

Ms. Diaz responded that there is nothing in the contract precluding an individual who is in documentation from taking a Leave of Absence.

Suggesting a workshop discussion regarding the amendment of the policy, Mrs. Bartleman stated that there is a loophole in the contract pertaining to leave of absence of individuals who are in documentation.

Mr. Notter stated that a review will be made of the unions, Meet and Confer groups and the Personnel Policy and Procedures from a legal perspective, and presented to the Board.

Ms. Dinnen informed that the community has a perception that K-12 teachers have a lifetime contract after a certain amount of years. Ms. Dinnen requested information regarding the district's rules and regulations; what kind of contracts do teachers receive; and what is the probation period. Ms. Dinnen further stated that employees have regular evaluations, responsibilities and there is accountability.

*G-5. Supplemental Pay Positions – List #12 (Approved)

Approved the recommended supplemental pay positions of employees for the 2010-2011 school/ fiscal year.

Employees are recommended for supplemental pay positions by Principals or Department Supervisors and approved by the Area Superintendent or appropriate Division Head. Supplemental positions are listed alphabetically by last name, with location and supplement type.

The Specific Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and /or team leaders middle school; elementary grade level chairpersons and /or team leaders; athletic supplements; general supplements; and special supplements for the 2010-2011 school years.

Individuals may be recommended for task assignments that improve the school's/department's programs and/or operations. A computer-generated list of those names is printed and reveals all individuals recommended for Non-Specific (SPL). Non-Specific Supplements are additional Task Assignments performed beyond the employee's regular day based on the recommendations of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions. The total number of Supplements recommended in this item is 172.

Funding has been budgeted in 2010-2011 school/ fiscal year for all supplements through June 30, 2011.

G-6. Approval of Teachers Teaching Out-of-Field (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the list of teachers to teach out-of-field in the Broward County Public Schools. (9-0 vote)

This recommendation is made with the understanding that the teachers will comply with all State Board of Education and The School Board of Broward County, Florida, regulations. State Board of Education Rule (SBER) 6A-1.0503 Definition of Qualified Instructional Personnel requires out-of-field teachers to take at least six (6) semester hours of college coursework towards certification and/or 120 inservice points, for Gifted and Reading assignments, each year until appropriately certified. When applicable, teachers may opt to pass the appropriate subject area exam in lieu of coursework. Teachers out-of-field due to the English for Speakers of Other Languages (ESOL)/Multicultural Education Training Advocacy (META) Agreement are required to complete 15 semester hours of college coursework and/or 300 inservice points within six (6) years from the date of the assignment to students identified as English Language Learners (ELL).

A total of 521 teachers are teaching 649 courses out-of-field for the first time during this survey period: Charter Schools (23 courses/14 teachers) and School Board employees (626 courses/507 teachers). Fifty-seven percent (57%) of the courses being taught out-of-field by School Board employees are for ESOL, leaving a balance of 268 non-ESOL courses being taught out-of-field. The total number of non-ESOL courses taught out-of-field for both surveys during the 2010-11 school year is 466, which is down 66% from last year's total of 1,065 non-ESOL courses taught out-of-field.

There is no additional financial impact to the school district. Funding is allocated in the budget.

Mrs. Rich Levinson discussed her concerns regarding co-teaching, stating that staff should ensure that teachers are certified in the same area that they are teaching. She stated a discussion will be held about this in the guidelines. Mrs. Rich Levinson voiced concern over elective teachers being the second teacher in the classroom setting, including Media Specialists, Art teachers, Music teachers, Guidance Counselors teaching Science, Math and Language Arts, and teachers teaching Gifted classes without Gifted certification.

Responding to Mrs. Rich Levinson's inquiry, Ms. Diaz stated that for the ESOL endorsement a teacher must complete two college courses, six semester hours, or 120 inservice points each year that the teacher is placed out of field. The other option, the teacher may pass a subject area examination to add that subject area to their certification.

Approved in Open Board Meeting, March 1, 2011

Mrs. Rich Levinson stated that the Board needs to discuss placing their own parameters, as it should be stricter than the current practice. She stated there should be two certified teachers if the co-teaching model is going to be used.

Mrs. Bartleman stated that as the budget is discussed this highlights the need for the Blackboard program. She stated that the online Virtual program is available for teachers to take necessary courses to be certified and this quality program allows teachers to work at their own pace.

Mrs. Rupert informed that 57 percent of the listed out-of-field teachers were not ESOL compliant and 43 percent were in valuable programs. Mrs. Rupert stated that an exceptional education is necessary for students and it should begin by assigning teachers to subjects that they have certification and knowledge. Mrs. Rupert further stated that teachers need to have the confidence and training to differentiate, not just fill in a spot. For Class Size subject areas, teachers need to be paired together and only certified subjects can be taught through co-teaching. Mrs. Rupert said that children need to be helped in a global society and need to be taught by a certified teacher.

Ms. Dinnen stated she needs to meet with staff to discuss the number of teachers teaching Social Science and Social Studies. Ms. Dinnen informed that a teacher can be certified in Social Studies having never taken a History course.

Mr. Thomas concurred that there has been a de-emphasis on Social Studies and that emphasis has been placed on reading, math, science, and alternative certification programs to get teachers into the "pipeline," which needs to be reviewed.

Mrs. Bartleman requested that data be collected from Broward, Miami-Dade and Palm Beach counties regarding teachers not being certified at all, and information be provided to Tallahassee when discussing Class-Size and penalties.

Ms. Murray suggested the district directly communicate with universities and colleges, and place emphasis on the district's needs.

Ms. Dinnen informed her colleagues that she received the Lewis State Scholarship, whereby the state of Florida would provide some money that did not have to be paid back if the person taught for one year. Ms. Dinnen suggested speaking with legislators and Broward Education Foundation concerning the shortage of teachers in any field, and encourage students to go into that field.

Approved in Open Board Meeting, March 1, 2011

The following individual addressed this item:

Bernie Schultz, BTU

Mr. Notter stated that he will meet with BTU, Area Directors, and ESE specialists regarding the new ESE certification requirements.

Mrs. Bartleman stated that universities and colleges need to alter the way graduate and under-graduate degrees are given so that teachers are coming out with those area-specific certifications.

Ms. Diaz responded that future graduates will have multiple certification areas, and some schools already have this practice. The challenge is to “gear” up the teachers who have been used to what has been done in the past, when the state accepted varying exceptionalities, such as K-12, to teach any subject matter if they have ESE students.

Responding to Mr. Thomas’ inquiry, Ms. Diaz stated that the new ESE certification requirement is state driven.

The following individual addressed this item:

Bonnie Schwarzbaugh

H. ATTORNEY

I. OFFICE OF THE SUPERINTENDENT

*I-1. Petition For Formal Proceedings (Received)

Received the Petition for Formal Proceedings submitted by the Superintendent in reference to this teacher.

The Professional Standards/Special Investigative Unit (PS/SIU) completed an investigation into allegations of inappropriate. The allegations were thoroughly investigated and the results were presented to the Professional Standards Committee (PSC). PSC found probable cause and recommended a five to ten day suspension. A pre-disciplinary meeting was held and a five day suspension was recommended.

Subsequently, the employee refused to sign the Disciplinary Action Agreement and the cadre attorney prepared the Petition for Formal Proceedings. Notice was sent to the employee that the Petition would be presented to the School Board on February 1, 2011.

There is no financial impact to the school district.

Approved in Open Board Meeting, March 1, 2011

*I-2 License Agreement with the Greater Fort Lauderdale/Broward County Convention Center (Approved)

Approved the License Agreement with the Greater Fort Lauderdale/Broward County Convention Center for the Teacher of the Year Luncheon. **(The Agenda Request Form was revised).**

The Greater Fort Lauderdale/Broward County Convention Center will lease their facility to the School Board to hold the Teacher of the Year Luncheon on Wednesday, February 16, 2011.

It is the policy of the Convention Center that the licensee executes the Agreement first.

The School Board Attorney has approved this Agreement as to form and legal content.

The estimated food and beverage expense of the luncheon is \$43,500. There is no financial impact to the school district. Ticket sales and sponsorships pay for all expenses associated with these events directly to the Greater Fort Lauderdale/ Broward County Convention Center. Tickets are \$30 per person, all Teachers of the Year are complimentary.

J. FACILITIES AND CONSTRUCTION MANAGEMENT

J-1. Change Orders (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve change orders as listed for various school projects, and approve an increase of \$1,494,599 to the Capital Projects Reserve. (9-0 vote)

| | | | |
|------------------------------------|----------------------|-----------------|----------------------|
| <u>Hollywood Hills High</u> | | Change Order 05 | \$4,785 |
| Consultant Omission | \$4,785 | | |
| <u>Miramar High</u> | | Change Order 01 | \$100,330 |
| Consultant Error | \$32,713 | | |
| Owner Request | \$30,382 | | |
| Unforeseen Condition | \$37,235 | | |
| <u>Oriole Elementary</u> | | Change Order 02 | \$7,386 |
| Unforeseen Condition | \$7,386 | | |
| <u>Palmview Elementary</u> | | Change Order 01 | \$8,994 |
| Owner Request | \$8,994 | | |
| <u>Village Elementary</u> | | Change Order 15 | \$1,494,929 (CREDIT) |
| Owner Request | \$1,494,929 (CREDIT) | | |
| Unforeseen Condition | \$0 | | |

Approved in Open Board Meeting, March 1, 2011

The resulting financial impact shown will increase the Capital Projects Reserve by \$1,494,599. Miramar High – Project No.: P.000336 \$330; Village Elementary – Project No.: P.000288 \$1,494,929 CREDIT. There is no additional financial impact to the district for the remaining projects.

Noting that there is a total amount that is reflected as part of the change order, Mrs. Good inquired whether those Consultant Error dollars can be delineated and itemized from the total. Mrs. Good stated, the way it is presented appears that the Board is funding the Consultant Error.

Mr. Thomas Lindner, Deputy Superintendent, Facilities and Construction Management, responded that for each change order is an attachment that lists the change orders for the entire agenda item, under the categories that have been characterized. Mr. Lindner stated that the Owner Request and Unforeseen Conditions are the only categories that the district is responsible for. Mr. Lindner offered to meet with Mrs. Good to discuss how the item can be better represented.

Noting that the agenda item was modified two months ago, Mr. Notter stated that staff will review a different manner to highlight the format.

Discussing errors associated with as-builts, Mrs. Good inquired how this is being handled with the consultants in order to minimize those costs.

Mr. Lindner responded that in a proper project closeout there should be updated as-builts, which was not enforced in the past. Mr. Lindner stated that when a project is closed out and final payment is made, staff ensures that there are updated as-builts that go into the archives. Remarking that in the past projects were not properly closed out, Mr. Lindner stated the best way to update the as-builts is to hire an architect to review the project or go back to the original contractor to get updated as-builts, which was been done in the past.

Mr. Lindner further stated that architects are now being required, as part of their contract, to visit the site and determine what the actual conditions are. He stated that even work that is done by Maintenance requires updated drawings.

The following individual addressed this item:

Billy Davison

Approved in Open Board Meeting, March 1, 2011

- J-2. Approve Request for Proposals which includes Authorization to Advertise for Proposals – Design/Build Services – Phase A, Cooper City High School, Project No. P.000386 and New Aquatic Facility, South Broward High School, Project No. P.001357, Hollywood (Approved)

Motion was made by Mrs. Good, seconded by Ms. Murray and carried, to approve the Request for Proposals (RFP) which includes Authorization to Advertise for Proposals, Selection Criteria, and Shortlist Selection Criteria Scoresheet for Design/Build Services. Mrs. Rupert was absent for the vote. (8-0 vote)

The RFP is intended to procure design/build services for the design and construction of the following projects:

1. Phase A Cooper City High School – \$25,254,797 cost for design and construction.
2. New Aquatic Facility South Broward High School – \$3,250,000 cost for design and construction.

Design/Builder(s) will be selected in accordance with Policy 7003 and the procedure prescribed in Exhibit 1. The Qualification Selection Evaluation Committee shall shortlist, separately for each project, in Step 1 of the evaluation process. The Board will award contracts to the Design/Builders. Projects will commence upon completion of the selection process and award of the contracts.

The Step 1 RFP package including the advertisement for proposals and the Step 2 Design Criteria Package are available for review at the Facilities and Construction Management Division.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015. There is no financial impact. This item is not affecting the overall budget; therefore it does not require a collaboration form from the Capital Budget Department.

Mrs. Good inquired whether there is an established pre-conference of all entities who wish to submit a proposal to tour the facility, a mandatory site visit conducted after-school hours. Mrs. Good said she wants assurance that prior to an RFP issuance anyone visiting any one of the two facilities can coordinate through the district and on site so that the same information is disseminated to all individuals who are submitting proposals.

Mr. Lindner responded that the written information will be the same to every contractor, and staff can coordinate the site visit so everyone can attend at the same time and questions can be answered in group format.

Approved in Open Board Meeting, March 1, 2011

Mr. Lindner voiced concern over the contractors who cannot attend the scheduled visit, and there may be a need to offer two or three site visits. Mr. Lindner noted that when an RFP was issued for engineers there were 63 engineering firms that replied. Mr. Lindner stated that every effort will be coordinated.

Referring to South Broward High School, Ms. Murray discussed the scope of work for the aquatic pool, stating that the figure is lower than originally estimated.

Mr. Lindner responded that the project has not been downsized and the RFP is being issued on a different method of construction.

Mrs. Rupert requested a list of names of those companies that are habitually going over their budget, and come in at or below budget. In addition, that staff revisit the data; where it is being kept and how it is being accessed.

Mr. Lindner responded that additional information has been added to this list and it will become a part of the public record.

Mrs. Gottlieb concurred that there is a challenge in collecting accurate data, as there are many reasons why costs go up, and the Board needs to have a broad picture.

Mrs. Bartleman requested that staff work with the Facilities Task Force to desegregate that data.

Mrs. Good voiced concern over the transition the Cooper City High School replacement and the movement of students and teachers, to ensure the safety of everyone revolved.

Mr. Lindner informed that the Cooper City High School project needs to be completed by July 2013. Mr. Lindner stated there is a good conceptual plan, which was the original architectural renderings for 100 percent of Phases I and II. Mr. Lindner stated that the biggest challenge is the phasing of the construction and the demolition.

- *J-3. Contingency Use Directive No. 3 – Hewett-Kier Construction, Inc. – New Multipurpose Building – Palmview Elementary School, Pompano Beach – Project No. P.000207 (f.k.a 1131-23-01) (Approved)

Approved an increase in the Contingency account in the amount of \$995,315 as provided for in the agreement between The School Board of Broward County, Florida and the contractor, Hewett-Kier Construction, Inc.

Approved in Open Board Meeting, March 1, 2011

This Contingency Use Directive represents the buyout savings achieved from the Guarantee Maximum Price. The current contingency remaining balance through CUD #3 is \$1,296,502.

This item adjusts the contract allocations and represents a cost savings to the district. This item does not require a collaboration form from the Capital Budget Department.

- *J-4. Authorization to Advertise for Bids – Construction Services Minor Projects – Various Locations – Bid No. 2011-01-FC (Approved)

Approved Authorization to Advertise for Bids for Construction Services Minor Projects for roofing services and electrical services at various locations.

Project Consultant:

- Design Services Department

Scope of Work:

The purpose of this Bid is to establish term contracts for procurement of roofing services and electrical services on various construction projects valued at up to \$1,000,000 to meet scheduled project needs as required.

Contracts:

- Roofing – Item No. 1 – Up to \$199,999.99
Roofing – Item No. 2 – \$200,000 to \$1,000,000
- Electrical – Item No. 1 – Up to \$199,999.99
Electrical – Item No. 2 – \$200,000 to \$1,000,000

Final Bid Documents are available for review at the Facilities & Construction Management Division.

There is no financial impact. This item is not affecting the overall budget; therefore it does not require a collaboration form from the Capital Budget Department.

- *J-5. Pre-Qualification of Contractors – Approval of Application and Issuance of Certification (Approved)

Approved the recommendations of the Superintendent indicated in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on January 19, 2011, to review Contractor Pre-Qualification Staff Application Review Executive Summaries received for the following contractors and makes the following recommendations to the Superintendent of Schools:

Approved in Open Board Meeting, March 1, 2011

Bay To Bay Balancing, Inc. – Issue Pre-qualification Re-Certification
Daktronics, Inc. – Issue Pre-qualification Re-Certification
Davco Electrical Contractors Corp. – Issue Pre-qualification Re-Certification
Florida Blacktop, Inc. – Issue Pre-qualification Re-Certification
G.T. McDonald Enterprises, Inc. – Issue Pre-qualification Re-Certification
H.A. Contracting Corp. – Issue Pre-qualification Re-Certification
Luzer Electric, Inc. – Issue Pre-qualification Re-Certification
Ocean Bay Construction, Inc. – Issue Pre-qualification Re-Certification
Pavarini South East Construction Co., Inc. – Issue Pre-qualification Re-Certification
Roth Bros., Inc. – Issue Pre-qualification Re-Certification
Royal Concrete Concepts, Inc. – Issue Pre-qualification Re-Certification
**West Construction, Inc. – Issue Pre-qualification Re-Certification

*New Certification **Certified M/WBE and/or SBE
The Pre-Qualification Application reviews were conducted and the recommendations were determined in accordance with F.S. 1013.46, State Requirements for Educational Facilities and Board Policy 7003.

Contractor Pre-Qualification Staff Application Review Executive Summaries are available for review at the Design & Construction Contracts Department.

There is no financial impact. This item is not affecting the overall budget; therefore, it does not require a collaboration form from the Capital Budget Department.

- *J-6. Final Acceptance and Release of Retainage – Balfour Beatty Construction, Inc. – 32-Classroom Addition – Fort Lauderdale High School – Project No. P.000177 (f.k.a. 0951-26-02) (Approved)

Approved the Final Acceptance of the Fort Lauderdale High School, 32-Classroom Addition, Project No. P.000177, and release the balance of retainage in the amount of \$1,000.

The contractor, Balfour Beatty Construction Inc., has completed the scope of their contract within the contract limits.

The funds being released totaling \$1,000 are included in the Adopted District Educational Facilities Plan, Fiscal Years, 2010-2011 to 2014-2015.

Approved in Open Board Meeting, March 1, 2011

- J-7. Agreement of Purchase and Sale between The School Board of Broward County, Florida, and Nova Southeastern University for a 4.95 Acre Parcel of Davie Elementary School (Approved)

Motion was made by Ms. Dinnen, seconded Mrs. Bartleman and carried, to approve the Agreement of Purchase and Sale between The School Board of Broward County, Florida, and Nova Southeastern University for a 4.95 Acre Parcel of Davie Elementary School. (9-0 vote)

On May 6, 2009, the Town of Davie gave written notice of terminating their forty (40) year lease agreement with the School Board for the use of a 4.95-acre ball fields and recreation area. The effective date of termination was September 3, 2009. The recreational grounds were no longer required for school purposes and identified as underutilized. On April 20, 2010, the Board authorized staff to file an amendment to the State Educational Plant Five Year Survey Report (2009-2014) to reflect this excess and adopted Resolution 10-92 declaring the excess acreage as surplus.

Nova Southeastern University (NSU) has expressed interest in purchasing the property for their intramural sports program. The average appraised value of the property was \$1,806,700. On September 30, 2010 the Negotiation Parameters Committee approved the valuation as the offering price. The NSU President is recommending to their board the purchase of the property at the offering price.

This Agreement has been reviewed and approved as to form and legal content by the School Board Attorney.

There is a positive financial impact to the school district in the amount of \$1,806,700 less the sellers share of closing costs.

Mrs. Good stated she was pleased that the district was moving forward in the potential surplus of property and acquiring some dollars. She inquired whether the property would be purchased in an as-is condition.

Mr. Lindner responded affirmatively.

- J-8. Grant a Property Agreement, License, Donation of Property and Resolution to the Florida Department of Transportation, for a Portion of Fox Trail Elementary School (Approved)

Motion was made by Mrs. Good, seconded by Ms. Murray and carried, to approve the grant of a Property Agreement, License, Donation of Property and Resolution to the Florida Department of Transportation, for a portion of Fox Trail Elementary School. (9-0 vote)

Approved in Open Board Meeting, March 1, 2011

Florida Department of Transportation (FDOT), in exercising its right of eminent domain, has petitioned The School Board of Broward County, Florida, for a twenty-five foot (25') strip of easement land along the northern boundary of the school site adjacent to State Road 84, representing 19,343 square feet of land area. The Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida, has issued an Order of Taking for the 25 foot easement area.

As a result of this taking, staff reviewed the construction plans and determined that the standard sidewalk and curbing does not provide adequate safety measures for the students as currently existing. In negotiation with FDOT on this matter, FDOT agreed to provide a buffer with landscaping, sidewalk and a fence along the northern right-of-way line of the school, if the School Board dedicates an additional seven and one half feet (7.5'), approximately 7,079 square feet, to provide for these improvements.

FDOT is also requesting a License to enter upon the Fox Trail Elementary School grounds during the construction period, but no later than July 2014, for sloping, grading, tying in, harmonizing and reconnecting existing features with the highway improvements.

The Department of Transportation will execute this agreement after School Board approval.

This Agreement has been reviewed and approved as to form and legal content by the Cadre Attorney and the School Board Attorney.

There is no financial impact to the school district; therefore this item does not require a collaboration form from the Capital Budget Department.

Mr. Notter informed the Board that discussion was held at the last School Board meeting regarding contracts to be more aligned with the Jessica Lunsford Act. Mr. Notter stated that language has now been included in the contract that incorporates the Jessica Lunsford Act into the FDOT agreement. FDOT has agreed to build a six-foot chain link fence on the premises that will secure children during construction activities.

Mrs. Good thanked Mr. Notter and staff for following up on this issue for the safety of students, with the Jessica Lunsford language and the additional safety precautions language inserted in the contract. She stated that Mrs. Batista-McNamara has taken additional measures regarding this process by ensuring that certain language is inserted in the district's contracts.

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Mrs. Batista-McNamara stated that as a result of this item, the legal department has instituted a process of creating a matrix for all contracts presented to the legal department; checking that the contract complies with all state provisions and with the areas that are specific to school laws.

Ms. Dinnen stated that the changes to the contracts will affect all contracts in the future.

K. OFFICE OF CHIEF FINANCIAL OFFICER

K-1. Certificates of Participation, Series 2004D & 2006B Liquidity Providers Replacement (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve J. P. Morgan Chase and PNC Bank to act as liquidity providers for Certificates of Participation (COPs), Series 2004D and 2006B. (9-0 vote)

Dexia Credit Local was originally selected to serve as liquidity provider for the School District's COPs, Series 2004D & 2006B. Dexia chose not to renew the credit facility beyond the March 17, 2011 expiration date. A Request for Proposal (RFP) was issued December 17, 2010 and responses received on January 10, 2011. Proposals were received from three banks: Citi, PNC and J. P. Morgan Chase. J. P. Morgan Chase and PNC Bank were the low bidders and are the recommended proposers.

The net increase in fees is approximately \$1.1 million to be paid from the Capital Budget. The increase is due to market conditions and many banks are decreasing their exposure to this market.

Mrs. Bartleman informed that she spoke with Mr. I. Benjamin Leong, Chief Financial Officer, Office of the Chief Financial Officer, regarding the increase of fees on this item, over \$1 million, but the district is still saving money.

Mr. Leong informed that the Federal Reserve initiated the QE2, buying approximately \$600 billion of bonds, in November 2010, and the bond market has been in a difficult situation since that time. Mr. Leong stated that even though the interest rate has gone up in this particular facility for the next two to three years, it is hopeful that the financial market will stabilize. Mr. Leong further stated that the long-term gain (18 years) to the district will be \$4 million.

OPEN ITEMS

AA. RESOLUTIONS

Approved in Open Board Meeting, March 1, 2011

- BB. BOARD MEMBERS
- CC. BOARD POLICIES
- DD. OFFICE OF THE CHIEF AUDITOR
- EE. CHIEF OPERATIONS OFFICER
- FF. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT
- GG. HUMAN RESOURCES
- HH. ATTORNEY
- II. OFFICE OF THE SUPERINTENDENT
- JJ. FACILITIES AND CONSTRUCTION MANAGEMENT
- KK. OFFICE OF CHIEF FINANCIAL OFFICER

Following the action of Agenda Item J-2, the following Attorney-Client Session commenced at 11:45 p.m.

Announcement by Chair

"The School Board of Broward County, Florida, will meet in an Attorney-Client Private Session in accordance with Florida Statutes, Section 286.011(8), today February 1, 2011, 11:45 a.m. The Attorney-Client Session will be held in the Board Room of the first floor of the Kathleen C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

"The purpose of this Attorney-Client Session is for the School Board and Counsel to discuss pending litigation relative to the following case: The School Board of Broward County vs. Wensley J. Quamily and Marie Quamily, Individually and as Parents, Natural and Legal Guardians of Wensley Quamily, an incapacitated adult, Case No.: 10-48230 (04), before the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida. A Certified Court Reporter will record the entire session.

"The following persons will attend the Attorney-Client Session: Chair Benjamin J. Williams; Vice Chair Ann Murray; Members, Robin Bartleman, Maureen S. Dinnen, Patricia Good, Jennifer Leonard Gottlieb, Laurie Rich Levinson, Nora Rupert, David Thomas; Superintendent James F. Notter, Debra P. Klauber, Esq., Eugene K. Pettis, Esq.; Robert P. Vignola, Esq.; and Marylin Batista-McNamara, Esq.

"Telephone Conferencing or other telecommunications technology may be used in the conduct of this Attorney-Client Session to permit absent Board Members to participate and to be heard by other School Board Members and Counsel."

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The Attorney-Client Session recessed at 12:05 p.m. The Regular School Board meeting reconvened at 1:13 p.m., following the luncheon recess.

Adjournment This meeting was adjourned at 2:58 p.m.

RT