

Approved in Open School Board Meeting, April 20, 2010

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

March 2, 2010
Tuesday, 9:45 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 9:46 a.m., Tuesday, March 2, 2010, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Jennifer Leonard Gottlieb; Vice Chair Benjamin J. Williams; Members, Robin Bartleman, Maureen S. Dinnen, Phyllis C. Hope, Stephanie Arma Kraft, Esq., Ann Murray, Dr. Robert D. Parks, Kevin P. Tynan, Esq., Superintendent James F. Notter, and Edward J. Marko, Esq.

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

Dr. Parks requested a moment of silence to honor Delores Kriegel, retired teacher from Tedder Elementary School and 26-year district employee, who passed away on February 22, 2010.

Dr. Parks also requested a moment of silence for Tedder Elementary School 5th grade student Randy Reddick, III who passed away on February 27, 2010 following a tragic accident involving a gun. Dr. Parks stated that grief counselors were sent to the school and he spoke with the principal who indicated she spoke to the students regarding safety and security. Dr. Parks stressed the importance of SROs at schools by teaching safety in schools, including bullying, gun or bicycle safety. He noted that the principal indicated that approximately 70 percent of a classroom knew someone that had been killed.

Ms. Dinnen requested a moment of silence for Ms. Frankie Thomas, community leader and former school teacher.

(A moment of silence was observed for these individuals).

Minutes for Approval Motion was made by Ms. Dinnen, seconded by Mr. Tynan and carried, to approve the official minutes for the following Board Meetings:

February 17, 2010 – Special – Student Expulsions

Added Items - 5 speakers

Close Agenda Upon motion by Mrs. Kraft, seconded by Mr. Tynan and carried, the Agenda was approved and declared closed.

REPORTS

ESE Advisory Council - Robert Mayersohn

Mr. Mayersohn reported that ESE met on February 22, 2010, with over 70 people in attendance to hear two presentations. A PowerPoint presentation was made by Terry Spurlock, Curriculum Specialist, Deaf and Hard of Hearing (DHH), on the district's programs, services and resources. Present with Terry were Diana Gorbea, Program Specialist, Deaf and Hard of Hearing; Connie Kalish, Lead Interpreter; and Donna Wallace, Family Counselor. Mr. Lou Ruccolo, Program Specialist-Transition, presented on the district's transition programs, and he discussed some of the district partnerships and the importance of students getting involved in the IEP process to formulate a career path.

The membership was informed that the current lawsuit regarding Access to Educational Records and of students with Autism Spectrum Disorder is currently under further review.

ESE nominations for the ESE Advisory Board will be held in April. A nominating committee was formed to present a slate to the general membership in March.

After discussion and debate, a motion was made that American Sign Language (ASL) is presented on Deaf and Hard of Hearing children's IEPs as an option for communication needs; DHH students with ASL on their IEPs have a classroom teacher who can demonstrate advanced proficiency in sign language; a standardized Communication Plan is completed at every DHH student's IEP meeting; and an ESE Advisory Task Force is established to make recommendations to the School Board to increase attainment in grade-level literacy and graduation rates with standard high school diplomas for DHH students throughout the country.

Mr. Mayersohn further reported that a special "kudo" was sent to Coral Springs High School ESE student, Jeff Richardson, who is team manager for the Varsity Basketball team he got to suit up for the team's regular season home finale. Jeff played for 2 minutes and 40 seconds, alongside his teammates.

The next ESE meeting is scheduled for March 22, 2010, 7:00 p.m. at Piper High School.

A comprehensive written report was submitted to the Board.

Broward County Association of Student Councils and Student Advisor to the Board - Itai Raz and Sara Saxner

Itai reported that the county chapter of the National Honor Society held a golf tournament at Lockhart Stadium, raising over \$2,500 that will go to Special Olympics. Glades Middle School and Coral Springs High School were champions in this event.

Itai informed the Board that on Early Release Day the class length is reduced between 50 to 75 percent of class time, depending of the school and the schedule. This does not allow for a normal lesson to be held in most subjects and many times the teacher will fill the teaching time with a video or a non-instructional related item. Students feel this time could be used for purposes that would benefit the students, sufficient time for four classes that students could be assigned to. Itai stated it would be fitting that once a year there would be one day set aside for students to attend short seminars about various life-skill topics, such as money management, interview skills, time management, bullying, health and safety issues, and how to apply for colleges/scholarships. BCASC strongly encourages the School Board to support and help the students.

A comprehensive written report was submitted to the Board.

Mrs. Bartleman thanked Itai and Sara for their leadership. Remarking that there are contract issues, Mrs. Bartleman stated the district may want to partner with outside agencies.

Dr. Parks stated that he attended a meeting of the Pompano Beach Economic Development Council, discussing the need for a tactical strategic plan to get the business community into the schools and “touching” students.

Mrs. Hope expressed gratitude to the student advisors for their leadership in bringing this idea to the School Board. She stated there are many businesses that want to speak to students, teaching students life skills that will educate the whole student.

Facilities Task Force - Nick Sakhnovsky

Mr. Sakhnovsky reported that the Task Force met on February 4, 2010, with presentations from Mr. Tom Lindner, Acting Deputy Superintendent, Facilities and Construction Management, and Mr. Tom Coates, Executive Director, Facility Management, Planning and Site Acquisition.

Strategies to deal with a \$47 million shortfall in the Capital Budget were addressed, including analysis of underutilized properties which may be potentially sold, as well as projects in process that are funded but not necessarily needed. The School Board will work with the municipalities before options are explored.

Other topics of discussion included the Nova pool which will not be ready until June; South Broward High School pool project will need a new architect; safety issues at Westglades Middle School; and 92 portables waiting to be shipped to Haiti.

Mr. Sakhnovsky further reported that there is a Capital Funding Oversight Committee that approves every cent of Capital dollars unless it has already been approved by the Board. A motion was made that the School Board’s Capital Funds Oversight Committee include a non-employee member from the Facilities Task Force to give a community perspective.

A Nominating Committee was formed and will report in March when nominations will also be taken from the floor. Elections and further floor nominations will be at the April meeting. The next meeting will be held Thursday, March 4, 2010, 7:00 p.m.

A comprehensive written report was submitted to the Board.

Supplier Diversity & Outreach Program Advisory Committee - Jay Narang

Mr. Narang reported that the Advisory Committee met on February 24, 2010.

The Advisory established a Three Point Charter as its goal for 2010; Local Small Business Program, Smaller Bids, and Alternative means for accessing bidding information. These goals include race and gender neutral means for providing incentives to small businesses within the school district's market area, tri-county area, to successfully compete for contracting opportunities. In addition, to develop a process or procedure for reviewing bidding opportunities to ascertain that the majority of bids do not systematically exclude smaller firms through the bundling of projects. Provide a means for vendor to access or download bid documents without a charge. Currently the district utilizes Demandstar for the notification and distribution of bids.

Mr. Narang further reported that a recommendation was made that the School Board implement a process similar to Orange County Public Schools that provides vendors the ability to download bid documents at no charge as well as continue the bid notification and distribution for vendors who subscribe to Demandstar. It is also recommended that the School Board renew its membership with the South Florida Minority Supplier Council and that the funds allocated for membership be a recurring budgeted item.

Mr. Narang advised that several School Board Members do not have an appointee to the Advisory Committee and requested that any Board Member who has a vacancy to please designate an appointee.

Dr. Parks requested that the recommendation be made in writing, using a matrix, include a rationale for the recommendation. Dr. Parks stated that the recommendation will be sent to Mr. Donnie Carter, Chief Operations Officer, and they will provide a solution to the Committee's recommendation.

Mrs. Hope praised the report of the committee, stating the goals are going to help the small businesses in the community.

Broward Education Foundation - Jorene Jameson

Ms. Jameson introduced Christina Fischer, Board of Directors, Broward Education Foundation.

A Teacher Expo was held on February 6, 2010, Nova-Southeastern University, with over 400 teachers in attendance to learn new curriculum ideas. Gratitude was expressed to Board Member Mr. Tynan and Superintendent Jim Notter for attending this event.

Ms. Jameson reported that the Broward Education Foundation will hold the annual awarding of teacher grants, approximately 40 teachers receiving \$145,000 in grants, at the Signature Grand Hotel on April 8, 2010, 5:00 to 7:00 p.m.

Ms. Fischer informed that the annual Scholarship Celebration event will be held on May 14, 2010, at the Harbor Beach Marriott, with an '80s theme and fundraising goals of raising money and awarding scholarships. Gratitude was expressed to Chair Gottlieb for agreeing to be the Honorary Chair.

Remarking that the BEF is attempting to assist the school district with unfunded mandates, Ms. Fischer stated that the suggestions by student government is an excellent opportunity for BEF to engage in the mentoring process or other programs that would create awareness.

Charter School Task Force – Ruth Lynch

Ms. Lynch, who reported that district staff has been doing a good job within their resources, stated that more oversight is needed for the 56 charter schools from the state. She requested that the name of the Task Force be changed to the Charter School Advisory or Council Committee, which would provide more flexibility and there would be no need to have a quorum. She stated that a lot of work has been done without a quorum, such as help by the district and the community. Ms. Lynch further stated that having a committee versus a task force will allow the committee to not meet, if necessary, in certain months of the year.

Ms. Lynch stated that a written report will be provided to the Board.

Remarking that he will submit the appropriate paperwork regarding the name change to the Charter School Task Force, Mr. Notter stated it is a natural progression for the Board to look at the committee from an advisory standpoint.

BOARD MEMBERS

Ms. Dinnen announced that Broward Days will be held on March 17 and 18, 2010. The Broward Education Coalition met last week and decided to go to Tallahassee a day earlier to assist parents and business individuals make their legislative visits.

Ms. Dinnen informed that she will attend the District Advisory Council on March 10, 2010 and will have a discussion with them about the Legislative program and how they can help.

Ms. Dinnen stated that the Florida School Boards Association (FSBA) Day in the Legislature will be held on March 25 and 26, 2010. The Rally in Tally will be held on March 25, 2010. An informational video during this event is available on the FSBA website.

Ms. Dinnen was invited to the City of Oakland Park 8th Annual Appreciation event; every person who is a volunteer in the city attends a dinner to honor them and the volunteers discuss what they have done.

Ms. Dinnen stated that Sunset School received a \$2,000 Department of Education grant, some state-of-the-art equipment for their industrial arts department, and they will display wooden items at Bob Roth's New River Groves.

Ms. Dinnen announced that Alan Phipps was chosen Teacher of the Year from South Plantation High School, the "Solar Car" guy. Mr. Phipps' group has also been involved in Coral Reef instruction; reef balls are installed to try and rebuild the coral reefs. This display is currently exhibited at the Museum of Discovery and Science.

Ms. Dinnen stated that the Adult Community School at Fort Lauderdale High School received a grant from the Broward Cultural Center. The Seagull School is currently holding a Baby Love Fest, representatives from Healthy Start, Women in Distress, Dads Matter, and Miami Dental Clinic assist students to build strong family relationships.

Ms. Dinnen further stated that Ms. Linda Thompson, Principal, Whiddon-Rodgers, is retiring, and the school won a Best Practices award for their Character Assistance program, Improving Student Conduct.

Ms. Dinnen informed that at Fort Lauderdale High School, Callie Melton's Fashion Design class was selected to participate in a competition by a clothing designer named Hurley, one out of 12 schools in the United States and the only school in Florida. The school will receive \$35,000 if selected.

Ms. Dinnen stated that Sunrise Middle School student Christopher White received 3 superior ratings and will be going to the nationals in the International Junior Thespian competition.

Ms. Dinnen further stated that Virginia Shuman-Young students and teacher Tadj Rodriguez are visiting the United Nations, in the General Assembly area. Their teacher started a model UN club, and the event they are attending is a Montessori Model UN event. The three-day event will enable students to meet hundreds of other students from the world, hold committee meetings and debate, and vote on resolutions that may be presented before the United Nations.

Ms. Dinnen informed that additional Legislative updates will be presented at the next workshop. The Legislative Session will run until April 30, 2010.

Ms. Dinnen stated that a St. Patrick's Day parade will be held in Fort Lauderdale, with she and Mrs. Bartleman participating.

Ms. Murray informed that one of the Boulevard Heights Elementary School 4th grade classes was the winner of the NFL Play 60 contest, winning \$2,500 to purchase new resources to fund health and fitness programming. The class logged their fitness activities and times over a given period.

Ms. Murray stated that Hallandale Elementary School was the winner of the Top Broward County Public School Fundraiser for the First Annual Tour de Broward, benefiting the Joe DiMaggio Children's Hospital. Students raised \$2,600 in ten days and the fund will be used to build the new addition to the Children's Hospital.

Ms. Murray further stated that Hollywood Park Elementary School students raised \$1,000 for the Leukemia and Lymphoma Society.

Ms. Murray noted that these three schools are Title I schools, an illustration that this generation has stepped up to meet the needs of society.

Ms. Murray informed that she and Mrs. Gottlieb are co-chairs of the Walkathon sponsored by the City of Hollywood this weekend, with many schools and staff participating. The kick-off event is at 5:00 p.m. at Arts Park, Hollywood Boulevard.

Ms. Murray stated the a Dog Walk will be held in Fort Lauderdale and all money raised will go to Broward Humane Society.

Dr. Parks announced that Dr. Jeanine Gendron, Director, Instructional Technology, has received the 2010 Withrow CTO of the Year award, recognizing her outstanding leadership in advancing 21st Century learning. This award is the highest recognition and is presented each year by the Consortium for School Networking CoSN, the premiere professional association for school district technology leaders. In 2009, Dr. Gendron received the Making it Happen award from the Florida Council of Instructional Leaders. Criteria for the award includes leadership, building community, innovation, impact and public/private partnerships. Congratulations was extended to Dr. Gendron.

Dr. Parks presented a short video showcasing Pompano Beach Middle School students who are enrolled in the Communication and Broadcast Magnet program, an excellent example of how magnet programs should be run. Following the presentation, Dr. Parks introduced William who will be attending the Pre-Law magnet at Fort Lauderdale High School and Christine has a full scholarship to Pincrest School.

Mr. Williams informed that on Saturday, February 27, 2010, he and Mrs. Gottlieb, Mrs. Hope and Mr. Notter participated in the Annual Sistrunk Festival Parade. This was the 30th Anniversary of the parade and festival which was well attended despite the cold weather. Cars and drivers were provided for the parade, and gratitude was extended for their use to Rick Case, Rick Case Automotive Group; Tommy King, Service Manager Pines Ford Lincoln Mercury; and Warren Stewart, Pompano Ford Lincoln Mercury.

The willingness of these companies to partner with the district demonstrates their support for the community and our public schools. Gratitude was also extended to Mr. Tom Montlevich, Sheridan Technical School, who worked with the Lincoln Mercury dealers and Mr. Stan Bostic of the Rick Case Automotive Group for coordinating the use of cars and drivers.

Mr. Williams informed that the Dillard Center of the Arts Jazz Band is one of 15 finalists selected to participate at the 15th annual Essentially Ellington High School Jazz Band Competition and Festival in May in New York City. The bands, selected as the best in the country, will compete and participate in workshops, jam sessions during a three-day competition and festival at Lincoln Center. The three top-placing bands will perform with guest soloist Mr. Wynton Marsalis who is the Artistic Director of Jazz at Lincoln Center. Congratulations was extended to Christopher Dorsey, Jazz Band Director, for everything he does to work with the students. Members of the Jazz Band were extended much success.

Mr. Williams further stated that an additional honor for the Jazz Band is the selection of Alto Sax player, Mr. Patrick Bartley, who participated in a week-long event in Los Angeles in January of this year. The program was coordinated by The Grammy Foundation and enabled the selected students to play with their peers as well as with Grammy nominated and Grammy winning artists. The students participated in a number of events during the week-long event.

Mr. Williams applauded the success of the Dillard Girls' Basketball Team who recently won the 5A State Championship title in Lakeland, Florida. The team will be recognized tomorrow afternoon at a Pep Rally at the school. Arrangements will be made to provide School Board recognition for this outstanding team at the next School Board meeting. Congratulations was extended to the team, Coach Marcia Pender and her assistants.

Mrs. Bartleman informed her colleagues that she participated in a Worst To First walk with Mr. Bud Chiles and with Student Government representatives from Stranahan High School. Mr. Chiles spoke about the issues in the state and how children are not an educational priority, the lack of progress in high school graduation rates and nationally norm tests, and the lack of health care for children. The campaign is about putting children first in this state.

Mrs. Bartleman met with some teachers at Westglades Middle School. Gratitude was extended to Mrs. Denise Rusnak, Dr. Katherine Blasik, and staff who met with teachers to discuss the state's concerns. One concern is over students who have a differentiated curriculum based on their IEP but when they are tested for accountability purposes, or they are tested with FCAT, the FCAT does not reflect the curriculum they are being taught. Mrs. Bartleman stated that teachers are working to bring this forward in the Legislature. She thanked the teachers for researching the data and the issues and being proactive on this issue.

Mrs. Bartleman expressed gratitude to Ms. Eileen Hunt, Ms. Diane Sampson-Bryant, and Ms. Claudia Munroe, Executive Director, Services, who work hard on preparing the Qualification Selection Evaluation Committee (QSEC) meetings.

Mrs. Bartleman reported that Mr. Mike Ryan, Chair, Sunrise Education Advisory Board, has made several trips to Haiti. Mr. Ryan had requested stuffed animals, DVDs, coloring books and crayons at Sawgrass Elementary, and he has taken them to Haiti, along with cards and pictures that were created by students at the school. These items are being hung at the children's medical facilities in Haiti.

Mrs. Bartleman stated that Autism Speaks Walk will be held on April 17, 2010, Nova-Southeastern University, and the district's name is Team Broward. She asked that everyone go online and register for the walk at www.broward@autismspeaks.org. She stated that every school has their own team.

Mr. Tynan informed that he has no Board Report to present.

Mrs. Kraft informed her colleagues that she had the privilege of being a judge for the DECA students at Taravella High School, as they were preparing for the state competition. Mrs. Kraft stated she and Ms. Dinnen were judges for the History Fair sponsored by Broward County. Gratitude was extended to Dr. Louise Ball, Core Curriculum, and Mrs. Marie DeRito, Core Curriculum, who were instrumental in bringing this event to the district. She said this is an example that immersing students in a subject matter through skits and performances will enhance their learning experience.

Mrs. Kraft stated that on February 13, 2010, Marjory Stoneman Douglas' World Language students participated in the annual Broward County World Languages competition, represented by 11 students. Languages represented included: American Sign language, French and Spanish. Students received five 1st Place awards for Impromptu Speaking; five 1st Place awards for Declamation; four 1st Place awards for Finger Spelling; five 2nd Place awards for Impromptu Speaking; and five 2nd Place awards for Declamation. In addition, the team received one 1st Place award for a new category this year – New Media.

Mrs. Kraft congratulated Taravella High School teacher Wendy Moskowitz who was named Broward County Mathematics Teacher of the Year.

Mrs. Kraft reported that Thespian Zak Duran was one of three males from Florida that was nominated for the 2009-2010 Broadway Star of the Future Award for his performance in Curtains. The winner will be announced on April 10, 2010 at the State Thespian Festival and then invited to the National High School Musical Theater Awards in New York City. Good luck to Zak for representing the district.

Mrs. Kraft informed her colleagues that the Lab Jazz Band, under the direction of Mr. Sheldon Williams, and the Concert Jazz Band, under the direction of Mr. Neil Jenkins, earned straight superior ratings from a panel of adjudicators at the District Jazz and Solo Ensemble Music Performance Assessment held at Pembroke Pines Charter High School. Congratulations to members of the Jazz Band.

Mrs. Kraft stated that the Coral Glades newspaper The Prowl was recently recognized by Columbia Scholastic Press Association with the Crown Award. This award recognizes 47 schools from across the nation who have demonstrated exemplary work in their journalism arena. The proud staff will be receiving their award in New York City in March.

Mrs. Gottlieb reported that she and Mr. Notter attended the Broward Art Education Association competition for the district's art teachers. Ms. Brooke Anderson, who won Best in Show, is an artist and teaches at Marjory Stoneman Douglas High School.

Speakers

Franklin Smith (through sign language interpreter)
Julia Musella
June McMahon (through sign language interpreter)
Patty Pero
Latrice Safford
Antonio Salgado
Lois Sanford
Donna Handy
Dr. Erika Hoff
Tanya Shield

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Mr. Tynan, seconded by Dr. Parks and carried, to approve the Consent Agenda for the remaining items.

CONSENT ITEMS

A. RESOLUTIONS

A-1. Resolution in Support of School Social Work Week – March 8-14, 2010
(Adopted)

Motion was made by Mrs. Hope, seconded by Ms. Murray and carried, to adopt Resolution #10-64, in support of School Social Work Week – March 8-14, 2010.

Dr. Laurel Thompson, Director, Student Support, thanked the Board for their support of the resolution recognizing School Social Work Week. The theme for the month of March is: Social Workers Inspire Community Action.

Dr. Thompson discussed the importance of school social workers and the service they provide, and their contribution to the academic achievement of students.

Dr. Thompson informed that school social workers are volunteering their time on weekends and evenings to help Broward County respond to the needs of displaced families. The Broward County School Social Workers Association, along with its partners, has adopted an orphanage in Haiti that will be supported on an ongoing basis. Dr. Thompson stated that the School Social Work Graduates Internship Program has organized a walk-a-thon for Saturday, March 20, 2010, to raise funds to support displaced students that are in Broward County. Dr. Thompson further stated that social workers know how to help students and families to use their resources to access others in order to attain educational success. School social workers are an integral part of the learning plan and are committed to removing barriers so that all students can achieve academic success.

Gratitude was extended to Mr. Notter and the School Board for their time and continued support of the essential services that school social workers provide to the students and families of Broward County Public Schools.

Mr. Notter informed that as of yesterday, 916 children from Haiti will be attending Broward schools. The Superintendent discussed the impact the Haiti earthquake has had on district employees and their families. Gratitude was expressed to Dr. Thompson and staff for all the work they do for the individuals of Broward County.

Mrs. Bartleman noted that social workers already surpass national guidelines in pupil to social worker ratio. Mrs. Bartleman discussed the importance of the role of social workers, such as the incident where a student was tragically shot. She praised Dr. Thompson for an outstanding job in leading the effort to help displaced students due to the earthquake disaster.

Dr. Parks requested that statistics be provided regarding the amount of medical supplies and food provided for the Haitian Relief effort. In addition, that specific statistics of what students are doing in this relief effort be provided to the Public Relations department, to go to the website the district is working on with the Broward Alliance. Dr. Parks stated this information can be included in the district's electronic newsletters.

Ms. Dinnen stated that many people are unaware of the need and the presence of social workers in the school system. She stated that many times the school steps into the family structure and assists families and their problems.

Mrs. Hope stated that the Haitian Relief effort showed the commitment of Dr. Thompson to the school district and students.

- A-2. Resolution in Support of April 11, 2010, as a Day of Universal Reflection
(Adopted)

Adopted Resolution #10-65, in support of April 11, 2010, as a Day of Universal Reflection.

- A-3. Resolution in Support of National Student Leadership Week – April 11-17, 2010
(Adopted)

Adopted Resolution #10-66, in support of National Student Leadership Week – April 11-17, 2010.

- A-4. Resolution in Support of Administrative Professionals' Day – April 21, 2010
(Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman and carried, to adopt Resolution #10-67, in support of Administrative Professionals' Day, April 21, 2010.

Ms. Dinnen stated this is a special day to honor individuals that administrators depend on daily and how they contribute to the entire school district, especially in the Human Relations arena.

Mrs. Bartleman expressed gratitude to all the administrative professionals on the 14th floor.

- A-5. Resolution in Support of the 15th Annual Children's Week – April 11 through 17, 2010
(Adopted)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to adopt Resolution #10-68, in support of the 15th Annual Children's Week – April 11 through 17, 2010.

Reminding her colleagues that she sits on the 17th Judicial Circuit Family Law Advisory Group (FLAG), Mrs. Hope stated that their primary goal is to talk about children's issues regarding the judiciary system such as child abuse, domestic violence, and human and child trafficking. This year there will not be a Juvenile Justice Week, as they are partnering and combining with Annual Children's Week, April 11 – 17, 2010.

The resolution will be submitted to Jeanne Potoff, Director, Court Mediation and Arbitration Program, Broward County Courthouse.

Mrs. Hope read the resolution into the record.

Ms. Dinnen stated that the capitol building in Tallahassee, during Children's Week, is adorned with paper cut-out streamers of little children's hands. This is indicative of all the different child services groups from throughout the state who support and honor children.

A-6. Resolution in Support of National Day of Silence, April 16, 2010
(Adopted)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to adopt Resolution #10-69, in support of National Day of Silence, April 16, 2010.

Mrs. Kraft stated she has received e-mails from parents who are confused about what the implications are for this resolution and that the National Day of Silence normally occurs in high schools. Mrs. Kraft requested that when the Superintendent's letter is sent in support of this resolution that a clarification be made to administrators whether this observance is being implemented at every school or only at the high school level only. She stated that she has provided attachments from the American Civil Liberties Union (ACLU) and from Gay/Lesbian and Straight Education Network (GLSEN) where they give a good overview of the Day of Silence and provide some guidance as to the rights of parents, teachers and students with regard to the Day of Silence. Mrs. Kraft suggested this attachment be submitted with the Superintendent's letter. She said this is very helpful because many individuals do not understand that students have a right to participate in this event pursuant to their freedom of expression.

Mrs. Kraft further stated that some parents have an issue with the district acknowledging this day and at times will keep their children at homes. Mrs. Kraft stated it may be necessary to remind schools that the district's attendance policy is specific on the reasons for children not coming to school even though they may not like what is occurring at the school on a given day, and it is not recognized as an excused absence. She stated the Day of Silence also fits in with the anti-bullying policy, that the district will not tolerate bullying, harassment or discrimination on any grounds.

Mrs. Kraft informed that normally a Day of Silence is usually sponsored by a Gay/Straight student alliance club. In schools that do not have active GSAs, some students choose to participate without a formal club that is sponsoring it.

Mrs. Kraft stated, for schools that do not have active GSAs, it is the participation of the students in those schools that sometimes causes confusion with the administration not knowing whether or not the students are allowed to or should participate or not, and to what extent. Mrs. Kraft reiterated that there needs to be some guidance issued from the Superintendent's office with regard to the parameters, as this might possibly reduce some controversy.

Mrs. Gottlieb informed that Ms. Teri Williams, Office of Prevention Programs, who has been working with the district and doing a tremendous job with students and schools. Mrs. Gottlieb stated she has worked closely with Ms. Williams on many things and she is an individual who can provide guidelines, in addition to the ACLU and GLSEN guidelines. She stated the issue is about a safe school environment for all students and protecting their right to a public education.

Mrs. Gottlieb read the following statement from Ms. Teri Williams:

"The Resolution for the National Day of Silence is more than a simple recognition supporting the Lesbian, Gay, Bisexual, Transgender, Queer/Questioning Individuals (LGBTQ) Sexual Minority activity in April. The resolution speaks to the importance of building a broader, critical cultural norm in our school district. Providing our LGBTQ Sexual Minority youth and their allies the opportunity to bring awareness to the issues of discrimination and prejudice that shatter the youth populations every day is a responsibility of our educational system.

"Empowering youth to reach out, connect and collaborate with their greater school population on this specified day provides a vehicle for peace building that is a human right. There is no greater place than the American school to teach about issues that serve to strengthen our morality, our obligation to serve our community and our ability to make a stand for those that are marginalized. This is the premise behind the National Day of Silence resolution."

Mrs. Gottlieb urged her colleagues to support the resolution.

The following individuals addressed this item:

Michael Rajner
Sara Saxner
Itai Raz
Jeanne Jusevic

Mrs. Hope stated that this initiative reaches out to every student in the county. She informed that she recently spoke to some high school students who indicated that bullying is the biggest problem in school and the bullying policy needs to be "ramped up."

Ms. Murray relayed her attendance at Nova Southeastern University who hosted the Dali Llama, who spoke the message that kindness and tolerance will bring world peace. Remarking that she recently spoke with a parent who had a concern about this resolution, Ms. Murray stated that parents have the responsibility to teach tolerance.

Ms. Dinnen stated that the tenets of this proposal is really important, especially during these times of bullying and violence. She noted that today's youth have not had enough experience in their lives with a particular group or maybe have had a bad experience. Ms. Dinnen stated if educators fail in teaching children to get along with one another and not bully one another, the rest of the education that is provided does not measure up. She concurred with the inclusion of guidance to the schools.

Mrs. Kraft further stated that as a practical matter this event would not be organized as a group activity in an elementary school but for middle school aged children it becomes a bigger issue. She stated there tends to be more tolerance at the high school level as students have established their identity in some manner. Mrs. Kraft requested that when the information is provided to the schools, that Ms. Williams also provide guidance on how this event could be instituted at the different school levels.

Mrs. Kraft requested that Mrs. Gottlieb share the statement from Ms. Williams with her colleagues through e-mail. She said this would be useful to her in responding to individuals who are not pleased with supporting a National Day of Silence.

Mrs. Bartleman stated there has been a movement to expand GSAs into all high schools. She stated it is hopeful that high schools that do not have GSAs or some outlet to feel safe in, that another group, Student Government, Honor Society, or peer counselors will take on this cause as they see fit.

A-7. Resolution in Support of April 26-30, 2010, as National Playground Safety Week (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman and carried, to adopt Resolution #10-70, in support of April 26-30, 2010, as National Playground Safety Week.

Mrs. Bartleman informed that Mr. Jerry Graziose, Director, Safety, was in attendance at today's meeting but had to leave. With Mr. Graziose was Ms. Victoria Stanford, the only national certified playground inspector within the school district. Gratitude was expressed to Mr. Graziose and Ms. Stanford for everything they do to keep children safe, a top priority in the district.

Informing that she met Ms. Stanford, Mrs. Gottlieb stated that it is very difficult to achieve national certification in playground safety and only 70 percent of examination participants pass the examination.

Mrs. Bartleman suggested that Ms. Stanford attend the Board meeting for recognition on April 20, 2010.

B. BOARD MEMBERS

B-1. Amend the 2010 Legislative Program of The School Board of Broward County, Florida (Approved)

Motion was made by Mr. Bartleman, seconded by Ms. Dinnen and carried, to amend the 2010 Legislative Program of The School Board of Broward County, Florida, to oppose Senate Bill 1216 which would alter the independent governing authority of the Children's Services Council.

SB 1216 has been filed for consideration in the 2010 Legislative Session. It would increase the authority of the county commission over the Children's Services Council (CSC), which is a special taxing district approved by the voters in a local referendum and governed by an independent board. CSC's are designed as a dedicated source of funding for children.

The CSC has the responsibility of serving families and their children in a variety of ways including childcare, school nurses, school health programs and after-school program. Services are based on what works best for children and their families. It is subject to strict financial and open government requirements of state law and its taxing authority is statutorily capped. The CSC always is accountable to the voters because, at any time, the county commission and/or the legislature can require the CSC be placed before the voters to determine if it should continue.

SB 1216 would give county commissions final approval of the CSC budgets, add an additional member of the county commission (one representative already serves) to the CSC board, and mandate that every eight years the county commission place continuation of the special taxing district on the ballot.

There is no financial impact.

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Mrs. Bartleman stated that the agenda item formally adds Senate Bill 1216 to the legislative agenda packet, which includes back-up information. Remarking that she supports this item, Mrs. Bartleman stated that Children's Services Council (CSC) was an independent body, voted on by the residents of Broward County, with a provision that if they do not feel it is necessary or it is not needed they can vote against it. She said the bill will take away the original intent of the voters. Mrs. Bartleman informed that the annual report of the Children's Services Council is attached to the agenda item, indicating that they help pay for school nurses, after-school programs, summer programs, and ESE summer programs. She stated that Broward County Children's Services Council is a role model for other counties.

Ms. Cindy Arenberg Seltzer, Broward County Children's Services Council, informed that Senate Bill 1216 would require the CSC's tentative budget and proposed millage rate to be approved by the County Commission. Currently, this is submitted for their information but they do not have the authority to approve the budget or send it back. Additionally, there is a proposed requirement of a referendum every 8 years for retention of the CSC. Currently, at any time the county commission or the residents can say they are not happy with what is being done and can ask for a referendum at any time. She stated to automatically have to go back to voters every 8 years would put an unnecessary strain on the resources of the community and the staff.

Mrs. Arenberg requested the School Board include these issues in the district's legislative agenda and expressed gratitude to the school district for their partnership.

Ms. Dinnen stated that she supports the opposition of Senate Bill 1216, as it would take the Children's Services Council and be placed under the County Commission. Ms. Dinnen said she opposed mandating an 8 year vote requirement which would result in the CSC diverting their time, effort and funds to launch a defensive campaign.

Responding to Ms. Dinnen's inquiry, Mrs. Arenberg-Seltzer stated that the bill was originally introduced by Senator Joe Negron who has obtained the Republican leadership to sign on as co-sponsors, as most do not have Children's Services Councils in their district. The house companion was introduced by Representative Debbie Mayfield, House Bill 1227, and it will present before the Children and Families and Elders Committee in the Senate on Thursday, March 4, 2010, at a public hearing.

Remarking that she serves on the Children and Youth cabinet, Ms. Dinnen stated that the different CSCs provide information about their activities throughout the state and it is a worthy item to add to the legislative package.

Mrs. Kraft stated that the issue for the Board and members of the CSC was the conflict between the CSC and the Children's Service Board regarding funding, and some legislators may look at this as an additional source of funding if they eliminate the CSC. She said that one of the issues was the lack of funding for children's programs and the importance of setting aside a funding source for children's programs. Mrs. Kraft further stated that anyone who knows about the CSC's programs would agree that it provides a reliable resource for the community.

Mrs. Kraft reminded her colleagues that a workshop was held whereby the Board wanted to ensure that some of the issues talked about were put in the legislative program. She requested that the staff member who is working with the district's legislative program review the notes from the workshops. Discussing the end-of-course exams and pending legislation on Civics and Chemistry for all students, Mrs. Kraft stated that there are committees going forward legislatively that are requiring students to take certain things that the Board may not agree with. She said that the Board needs to direct the district's lobbyist to come to consensus on certain issues that are making their way through committees.

Discussing the expansion of the Virtual School proposal, Ms. Dinnen stated that a Broward County student could take a virtual class in Duval County and Duval would receive the Full Time Equivalent (FTE). Ms. Dinnen further stated if the Board is expressing consensus on an issue at a workshop and it comes up before it is physically added, the lobbyist can feel free to take the consensus forward and oppose or support the issue.

Ms. Murray stated that another layer of bureaucracy is not needed because the operating costs for Children's Services is so minute compared to the money that is put out into the community to service the children.

Mrs. Kraft stated that the legislative program may not need to be amended; if legislative updates are provided during workshops a consensus should be taken on some issues, as issues are moving very quickly for the Legislature.

Ms. Arenberg-Seltzer informed that the CSC has been heading the Broward-Haiti Relief Task Force, the education and victims services section chaired by Dr. Thompson. She stated that the contributions made by social workers every day cannot be calculated in financial terms alone.

D. OFFICE OF THE CHIEF AUDITOR

E. CHIEF OPERATIONS OFFICER

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

F-1. Grant Applications (Approved)

Approved the submission of grant applications to:

- A. Dairy Council of Florida Bucks for Breakfast Grant, \$6,701
- B. Early Learning Coalition Quality Improvement Supports Grant, \$1,681,812
- C. Florida Agriculture in the Classroom Grants, \$2,000
- D. Renzulli Learning Corporation, \$1,000
- E. Toyota Tapestry Grant Program, \$2,486
- F. University of South Florida Project 10: Transition Education Network, \$3,900

Copies of the full grant applications are available at the Board Members' Office on the 14th floor of the KC Wright Building.

The positive financial impact is \$1,697,899 from various sources. There is no additional financial impact to the district.

G. HUMAN RESOURCES

G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2009-2010 School Year (Approved)

Approved the personnel recommendations for the 2009-2010 appointments and leaves as listed on 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:

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1. Teacher Approvals
2. Substitute Teacher Approvals
3. Interim Substitute Teachers
4. Temporary Hourly Teacher Approvals
5. 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 2009-2010 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.

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2009-2010 School Year (Approved)

Motion was made by Dr. Parks, seconded by Mr. Tynan and carried 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)
11. Salary Adjustment

Funding has been budgeted in 09-10 fiscal year for all appointments through June 30, 2010.

Dr. Parks praised the appointment of Mr. Andrew Kirk, Interim Principal, Olsen Middle School. Mr. Kirk was a finalist for Teacher of the Year, has been a leader in the technology arena and has been a leader at Pompano Beach High School.

Newly-appointed district personnel were recognized by Board Members Mrs. Hope and Ms. Murray.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2009-2010 School Year (Approved)

Motion was made by Mr. Tynan, seconded by Mrs. Kraft and carried the personnel recommendations for separation of employment or discipline as listed on the respective lists for Non-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 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.

Mr. Matthew Candelaria informed the Board that he is being recommended for termination of employment and has submitted a letter of apology and an explanation of his actions which has led to today's meeting. He stated he would like to retain his position with the school district.

Mrs. Victoria Kaufman, Noninstructional Staffing, informed the Board that information has been provided on the employee's excessive absenteeism, falsification of doctor's notes, and the suspensions leading up to the recommendation today for termination. Mrs. Kaufman said she spoke with the employee in the past and today, and he is aware of his appeal options and opportunity to file a grievance. He has secured the paperwork to file a grievance should the Board vote to approve the recommendation.

Ms. Hope inquired about the policy for submitting a doctor's excuse.

Mrs. Kaufman responded that following excessive absences the supervisor had directed that each time the employee is absent without leave that he must provide another note.

Dr. Parks stated that a process is in place and the Board is not the judge and jury. He recommended that the employee file a grievance hearing which is a benefit to the employee.

Addressing another employee under the agenda item, Mrs. Kraft noted that Principal Sharon Schmidt, Margate Elementary, is retiring after many years in the district. She praised Ms. Schmidt for doing an exceptional job at Margate and she will be missed.

G-5. Supplemental Pay Positions – List #13 (Approved)

Approved the recommended supplemental pay positions of employees for the 2009-2010 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 2009-2010 school year.

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 41.

Funding has been budgeted in 09-10 school/ fiscal year for all supplements through June 30, 2010.

H. ATTORNEY

I. OFFICE OF THE SUPERINTENDENT

J. FACILITIES AND CONSTRUCTION MANAGEMENT

J-1. Change Orders (Approved)

Motion was made by Mr. Tynan, seconded by Mrs. Bartleman and carried change orders as listed for various school projects, and approve an increase of \$375,626 to the Capital Projects Reserve. Mrs. Hope was absent for the vote. (8-0 vote)

<u>Cooper City High</u>	Change Order 04	\$-389,126 (CREDIT)
Owner Request	\$-389,126 (CREDIT)	
<u>Country Hills Elementary</u>	Change Order 04	\$23,057
Consultant Error	\$10,464	
Consultant Omission	\$3,847	
Owner Request	\$7,523	
Unforeseen Condition	\$1,223	
<u>Cross Creek School</u>	Change Order 05	\$22,327
Unforeseen Condition	\$22,327	
<u>Discovery Elementary</u>	Change Order 04	\$13,211
Consultant Error	\$4,330	
Consultant Omission	\$8,881	
<u>Douglas, Marjorie Stoneman High</u>	Change Order 04	\$1,724
Unforeseen Condition	\$1,724	
<u>Nova Middle</u>	Change Order 07	\$21,926
Consultant Error	\$760	
Consultant Omission	\$13,132	
Unforeseen Condition	\$8,034	
<u>Riverland Elementary</u>	Change Order 01	\$3,196
Consultant Error	\$3,196	
<u>Village Elementary</u>	Change Order 13	\$-23,837 (CREDIT)
Owner Request	\$-28,122 (CREDIT)	
Unforeseen Condition	\$4,285	

Financial Impact: Cooper City High - Project No.: P.000385 (\$389,126); Country Hills Elementary – Project No.: P.000566 \$20,435; Douglas, Marjorie Stoneman High – Project No.: P.001029 \$16,822; Nova Middle – Project No.: P.000261 \$80; Village Elementary – Project No.: P.000288 (\$23,837). The resulting financial impact shown above will increase the Capital Projects Reserve by \$375,626. There is no additional financial impact to the district for the remaining projects.

Mrs. Kraft requested a clarification between the Change Order credits and the Financial Impact.

Mr. Lindner responded that the Project Fund Allocation sheet provides certain amount of dollars per change order and the change order is less than that amount, and with no additional impact to the district. Referring to Stoneman Douglas High, Mr. Lindner stated the financial impact is the total for that project. The Cooper City change order refers to the final impact for the CM at Risk project, with a total credit of \$389,126. Mr. Lindner clarified that the Country Hills project, \$20,425, is an amount over the budget and not a credit; one figure is a change order and the other is a summary sheet for the budget. He concurred that the negative sign implies a credit but on the Financial Impact it refers to a positive, money going in.

Mr. Linder further stated that the Capital Projects Reserve is the money in the budget for capital projects. When this reserve is increased, money is actually being placed in reserves as a result of the summary of the credits.

Mrs. Kraft requested whether the change order items could be restructured so that they are easily understood.

Responding that general accounting principles are used, Mr. Linder stated that he will submit to the Board a summary sheet/spreadsheet that shows the net loss or gain in the change orders, positive or negative impact to the budget and impact to reserves. Mr. Linder said this will simplify whether the district is spending money or getting money back.

Dr. Parks discussed the 12 classroom module at Nova High School and stated that the district has never capped the enrollment at Nova but there have been caps at Pompano Beach High School, Deerfield Beach International Baccalaureate Magnet, and other schools. Dr. Parks stated that the Board has postponed making a serious boundary change for one year. Dr. Parks requested information on the total cost for all the capacity that was built at the Nova schools if the enrollment had been capped. He noted that according to policy, once a student enters the Nova schools they remain until their 12th grade.

Dr. Parks further stated that in the future the district needs to consider the issue of capping the Nova schools; enhance the research and applied professional development at the Nova High School. In summary, Dr. Parks stated that capacity has been added to the Nova schools with construction and students have been taken away as far away as Coconut Creek, the same students that the Innovative Program was created for, and Monarch High School students are being bused to other schools.

Dr. Parks said that capacity has a great deal of impact with the level of service that the district will be faced with and in the future parents will be demanding capacity to be built. Dr. Parks further requested that the magnet policy be reviewed.

Mrs. Gottlieb stated that the 12 classroom addition that opened this year was put on the books approximately 10 years ago and it was completed this year. She said that other than construction projects to correct flooding issues at the schools, there has not been any other capacity added and since 1990 there has not been any other renovations or new construction.

Mrs. Gottlieb further stated that the Nova school buses run more efficiently and the cost per student is below the average cost for all busing. She stated it is inaccurate to say that the district is spending more money on busing for Nova; the school saves money for the district and it makes money because it keeps students in this school system that would not be going to their neighborhood school. It provides parents an option, the same as all innovative programs and magnet programs. Mrs. Gottlieb said that there is an enrollment limit at Nova but it is not called a cap, according to staff.

J-2. Authorize Rejection of Responses – Construction Management at Risk Services for New Gymnasium – Coral Springs Middle School – Project No. P.001167 (Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Tynan and carried the rejection of all responses received for Coral Springs Middle School, Project No. P.001167. Mrs. Hope was absent for the vote. (8-0 vote)

Article VII.A of the RFQ, authorizes the Board to reject all proposals at any time prior to Board approval of the negotiated agreement. The reason for rejecting the proposals is due to the lack of funding.

Proposal documents submitted by the proposers, staff evaluation documents and the Qualification Selection Evaluation Committee's score sheets are available at the Facilities and Construction Management Division.

There is no financial impact to the district.

Mrs. Kraft informed that the gym at Coral Springs Middle School is going to be memorialized, as it has been an item in the Five-Year Educational Facilities Plan for a long time, the school being one of the district's older schools. Mrs. Kraft, who remarked that she met with Mr. Lindner to discuss the chillers, stated that originally there was an item to have the chillers replaced at the schools and when the gym project was put in the chillers were folded into the gym project.

Mrs. Kraft wants to ensure that when the gym project is taken out under this agenda item that the chiller project is not forgotten, and Mr. Lindner indicated that this does not need to be replaced right now.

Mr. Lindner responded that a Trane chiller was installed which can handle the whole school, and a compressor was replaced on the other chiller which will be okay for the next couple of years.

Mrs. Kraft further stated that in canceling some of the projects that were not put in the Capital Plan certain projects were being consolidated and projects were being bundled into other projects. She said some of the smaller projects that got bundled will need to be readdressed.

Mr. Lindner responded, if the projects had been done when they were needed there would be no need to bundle them.

J-3. Authorize Rejection of Proposals – Total Program Management Services – Park Ridge Elementary School, Pompano Beach – Project No. P.000881 (f.k.a. 1951-28-01) (Approved)

Approved the rejection of all proposals received for Park Ridge Elementary School, Project No. P.000881.

Article IX.A of the RFP, authorizes the Board to reject all proposals at any time prior to Board approval of the negotiated agreement. The reason for rejecting the proposals is due to the lack of funding.

Proposal documents submitted by the proposers, staff evaluation documents and the Qualification Selection Evaluation Committee's score sheets are available at the Facilities and Construction Management Division.

There is no financial impact to the district.

J-4. Terminate Professional Services Agreement – BRPH Companies, Inc. – Elementary School “Z” (“Trails End” Site), Parkland – Project No. 0279-28-01 (Approved as amended)

Motion was made by Mrs. Kraft, seconded by Mr. Tynan and carried the Termination of the Professional Services Agreement with BRPH Companies, Inc., Elementary School “Z” (“Trails End” Site), Parkland, Project No. 0279-28-01, approved by the Board on March 7, 2006. This motion was superseded by a Motion to Amend (page 28).

A contract was awarded to BRPH Companies, Inc., on March 7, 2006, for the design of Elementary School “Z”, on the “Trails End” Site in the City of Parkland. A contract was awarded to Song & Associates, Inc., for Elementary School “Z”, on September 18, 2007, for the design of a reuse of Elbridge Elementary School – Palm Beach District Schools, Project No. 3961-25-02 on the “Shield” Site, also in the City of Parkland. A contract for only site improvements for the Elementary School “Z”, “Trails End” Site, was awarded to Skanska USA Building, Inc., (Skanska) on August 7, 2007. On October 2, 2007, a contract was also awarded to Skanska for Construction Management Services for the construction of Elementary School “Z”, on the “Shield” Site.

As the result of the need to construct a school within close proximity of the students located near the “Shield” Site, the ability of the “Shield” Site to accommodate a larger number of students as opposed to the “Trails End” Site, and the anticipated growth in students resulting from developments close to the “Shield” Site, the Song & Associates, Inc., design and “Shield” Site was selected. The School Board approved the construction of Elementary “Z” on the “Shield” Site and removed the elementary school planned for the “Trails End” Site from the Adopted District Educational Facilities Plan on August 6, 2008.

Therefore, the “Shield” Site project was constructed and the “Trails End” Site project was canceled. No construction work was performed by Skanska on the “Trails End” Site, and on July 21, 2009, The School Board terminated its contract with Skanska for the “Trails End” Site. The School Board approved a Partial Guaranteed Maximum Price (GMP) on May 6, 2008, and, on April 21, 2009, a Final GMP with Skanska, for the construction of Heron Heights Elementary School on the “Shield” Site. Heron Heights Elementary School was completed on July 17, 2009.

Accordingly, as a direct result of the cancellation of the project at the “Trails End” Site, the Professional Services Agreement is terminated for cause in accordance with Article 10.2.3 of the Professional Services Agreement dated March 7, 2006. The original Agreement included fees of \$551,500. BRPH Companies, Inc., has been paid \$391,100. Should the Project Consultant claim that additional fees are due for authorized work satisfactorily performed, such claim will be promptly evaluated.

The funds released by this Termination will be placed in the Capital Projects Reserve.

Funds released by this Termination, totaling \$160,400, will be placed in the Capital Projects Reserve.

Mr. Lindner requested an amendment to include verbiage in the Summary Explanation, to terminate the contract for convenience.

Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mr. Tynan and carried, to amend Summary Explanation and Background, fourth paragraph, to read: Accordingly, as a direct result of the cancellation of the project at the "Trails End" Site, the Professional Services Agreement is terminated for convenience in accordance with Article 10.2.1 of the Professional Services Agreement dated March 7, 2006.

A vote was taken on the amendment.

Mrs. Kraft requested an explanation as to why this agreement is being terminated for convenience rather than termination for cause, as was done with the contracts at the last Board meeting.

Mr. Lindner responded that the contracts for cause were projects that were on the books and were proceeding, and they were canceled as a direct result of the state's failure to provide the district with necessary capital dollars. Mr. Lindner stated that on this contract a decision was made not to proceed with the project because a decision was made to build a school "down the road" and it does not fall under the same guidelines.

Mrs. Kraft inquired, since the time that the district contracted with Song and Associates to reuse design of the school in 2007, whether BRPH still going forward and doing work on this particular design.

Mr. Lindner responded affirmatively, stating that an attempt was made to terminate that contract and brought forward on June 30, 2008 and there was an agreement with the developer to provide site work. The developer went bankrupt and there is an ongoing attempt to recover some funding. He stated that BRPH stopped working on the project in April 2009 and they turned over the 100 percent documents on December 9, 2009.

Mrs. Kraft voiced concern that the architect was not informed about the project even though the Board took action and key district personnel knew that a school was not going forward. She requested that procedures be put in place to ensure that when the district is not going forward with designing and building another school that the architect be informed.

Mr. Lindner responded that procedures and processes need to be followed and individuals need to be held accountable for not implementing them.

Dr. Parks inquired whether staff will be negotiating with some of the contracts that were terminated or placed on hold for cause, or convenience, to obtain a lower price or whether the termination is final.

Mr. Lindner responded that the termination is final.

Dr. Parks stated that as contracts are approved or terminated, that the construction attorney, Mr. Thomas Cooney, review documents so that this situation does not reoccur.

Mr. Marko responded that Mr. Cooney attends an Agenda Preparation Group (APG) meeting weekly and reviews every document before it is submitted to the Board Agenda. Mr. Cooney, Mr. Lindner and staff review the documents to ensure they are correctly reflecting what needs to be done in an item. If the item is not reflected correctly, it is taken out of APG and the process is reviewed for correction and subsequently brought back.

A vote was taken on the amendment, followed by a vote on the item as amended.

- J-5. 2010 High School Graduation Leases with Broward College (Omni Auditorium), Florida Atlantic University and University of Miami BankUnited Center (Approved)

Approved the 2010 High School Graduation Leases with Broward College (Omni Auditorium), Florida Atlantic University and University of Miami BankUnited Center.

The high schools in Broward County will hold their graduation rehearsals and graduation exercises from June 3, through June 24, 2010. A list of the exact dates and location for each high school is on Exhibit 1.

It is the policy of these venues, that the licensee executes the agreements first.

The School Board Attorney has approved the agreements as to form and legal content.

There is an estimated financial impact to the school district of approximately \$363,223, which will be paid from the Student Activity Department's budget. This amount will cover the cost of leasing the venues, paying for custodial, equipment transport and stagehand services. This item does not require a collaboration form from the Capital Budget Department.

J-6. Authorize Negotiations of Professional Services Contracts for Continuing Contracts Cost Estimator Services (Approved)

Approved the selection and authorize negotiations for Professional Services for Continuing Contracts Cost Estimator Services.

In accordance with Board Policy 7003 and RFQ No. 2009-30-FC, the Qualification Selection Evaluation Committee shortlisted, interviewed and has selected for Continuing Contracts Cost Estimator Services for approval by the Board as follows:

- **Construction Services Minor Projects – C.M.S. – Construction Management Services, Inc.**
- **Construction Management at Risk Services Projects – C.M.S. – Construction Management Services, Inc.**
- **Hard Bid Projects – C.M.S. – Construction Management Services, Inc.**
- **Total Program Management Services Projects – C.M.S. – Construction Management Services, Inc.**

The Division will process the Contracts and recommend award for the continuing contracts at a future School Board Meeting.

Proposal documents submitted by the proposers, staff evaluation documents and the Qualification Selection Evaluation Committee's score sheets are available at the Facilities and Construction Management Division.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2009-2010 to 2013-2014. There is no additional impact; therefore, a collaboration form is not required from the Capital Budget Department.

- J-7. Extend and Increase Open End Professional Services Agreements – Architectural Miscellaneous, Electrical Engineering, Mechanical Engineering, Building Code Inspection, Building Code Plan Review, Material Testing, Moisture Intrusion Detection, Engineering Plan Review, Environmental Resource Management, and Value Engineering Services – Various Consultants (Approved)

Approved a one-year extension to the Open End Professional Services Agreements for each consultant listed in Exhibit 1, for the services listed and an increase to the spending authority by a one-time amount of \$300,000 for Intercounty Laboratories USL, Inc., for Building Code Plan Review Services, and Morse Zehnter Associates for Mechanical Engineering Services.

Item submitted for approval has been evaluated to determine that satisfactory service is being provided. The original contract dates, amounts and periods are included in Exhibit 1. Recommendation is being made for an extended period of one year for each open end consultant listed for various services and an additional one-time amount of \$300,000 for Intercounty Laboratories USL, Inc., for Building Code Plan Review Services, and Morse Zehnter Associates for Mechanical Engineering Services, as per the request of the Executive Director of Design Services, Claudia Munroe. It has been determined that these two consultants' contracts have reached 60% or more of their spending authority limit.

The recommendation for the increases in spending authority will be funded from available funds already included in the Capital Budget for the Facilities and Construction Management Division. This item does not require a collaboration form from the Capital Budget Department.

- J-8. Authorize Rejection of Response – Architectural & Engineering Consulting Services – Margate Elementary School – Project No. P.000214 (f.k.a. #1161-26-01) (Approved)

Motion was made by Dr. Parks, seconded by Ms. Dinnen and carried the rejection of all responses received for Margate Elementary School, Project No. P.000214.

Article V.A of the RFQ, authorizes the Board to reject all proposals at any time prior to Board approval of the negotiated agreement. The reason for rejecting the proposals is due to the lack of funding.

Response documents submitted by the proposers, staff evaluation documents and the Qualification Selection Evaluation Committee's score sheets are available at the Facilities and Construction Management Division.

There is no financial impact to the district.

Mrs. Kraft informed that Margate Elementary, a 40 year old school, was suppose to have a phased replacement and one phase was done before the district ran out of funds. Mrs. Kraft inquired, if there is a life/safety issue with some of the classrooms whether these concerns will be addressed even though there is no funding to complete the phased replacement.

Mr. Lindner responded affirmatively and said that the plan is to review these projects and when the economy is improved these types of projects would be the first to complete.

J-9. Pre-Qualification of Contractors – Approval of Application and Issuance of Certificates (Approved)

Approved the recommendations of the Superintendent indicated in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on February 23, 2010, 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:

H.A. Contracting Corp. – Issue Pre-qualification Re-certification
Hill York Service Corporation – Issue Pre-qualification Re-certification
Luzer Electric, Inc. – Issue Pre-qualification Re-certification
MBR Construction, 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
Petersendean Roofing and Solar Systems, Inc. – Issue Recommendation to Reject Application
Playmore Recreational Products and Services – Issue Pre-qualification Re-certification
Rainbow Professional Roofing – Issue Pre-qualification Re-certification
State Contracting & Engineering Corporation – Issue Pre-qualification Re-certification
West Construction, Inc. – Issue Pre-qualification Re-certification
Weekley Asphalt Paving, Inc. – Issue Recommendation to Not Re-certify Application
WPCS International-Sarasota, Inc. – Issue Recommendation to Reject Application

*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 to the district, therefore this item does not require a collaboration form from the Capital Budget Department.

K. OFFICE OF CHIEF FINANCIAL OFFICER

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

CC-1. Revision to Policy 4.9, Employee Disciplinary Guidelines
(Deferred)

Motion was made by Mrs. Kraft, seconded by Mrs. Bartleman and carried, to approve the revisions to Policy 4.9, Employee Disciplinary Guidelines, at this first reading. This motion was superseded by a Motion to Defer (page 37).

As a result of employee and public feedback on the consistency and fidelity of the employee investigatory process, revisions to Policy 4.9, Employee Disciplinary Guidelines are being recommended to enhance the process.

This item is being brought forth by School Board Member, Robin Bartleman.

There is no financial impact to the district.

Dr. Parks concurred that the investigative process in the district needs to be restructured, and requested that the Board Attorney thoroughly review the policy language and resubmit a policy that will not be challenged.

Remarking that the recommendation is being presented in a non-traditional model, Mr. Notter informed that he worked directly with Mrs. Mary Fertig and community members, union members, Broward Teachers Union and the Federation, Meet and Confer groups, and the Broward Principals and Assistant Principals Association worked on input of the policy. Mr. Notter stated he also worked with Mrs. Gracie Diaz, Acting Associate Superintendent, Human Resources, as she served many years on the Professional Standards Committee, and SIU currently reports to Human Resources.

Mr. Notter further stated that the policy language was submitted to General Counsel for a legal check and balance. Counsel indicated via memorandum his concerns from a legal perspective. The Superintendent recommended that an opportunity be provided to hear the community members for their input on this policy, and that a deferral be approved to a time certain.

For the record, Mr. Notter reiterated that he will be working with legal counsel and with the community and Mrs. Fertig to bring back the Superintendent's recommendation. Subsequently, he will bring a recommendation to the Board with a matrix.

Dr. Parks noted that Mrs. Fertig does not work for the school district and Mr. Marko is providing the legal opinion. Dr. Parks concurred with the deferral of the item. He stated that Mr. Marko has a flavor for what the Board wants and a workshop is needed based on counsel's review of the policy.

Mrs. Kraft reminded her colleagues that the Board held a workshop on this policy in September 2009, and the Board corporate asked the Superintendent to form a group to work on changes and revisions on the policy. Mrs. Kraft said she asked to include Mrs. Fertig in this group because she has been speaking on this issue for 10 years. She concurred that a discussion on the substantive matters should be made after hearing from the community.

Mrs. Bartleman stated that the process has been very conclusive and there have been very few changes that Mr. Marko has asked the Board to incorporate. Mrs. Bartleman, who informed her colleagues that she met with Mrs. Fertig and delineated Mr. Marko's points, stated that the Board wants to review all responses and have the best product for all employees.

Referring to Mrs. Kraft's suggested revisions, page 7, Mrs. Hope requested the definition of good cause versus probable cause, versus just cause.

Referring to the Disciplinary Guidelines, II., Categories A & B, Mrs. Hope inquired which category would automatically remove a teacher from a classroom. Mrs. Hope further inquired how long the investigation will take place so that those teachers who are found innocent would not have their reputations or their jobs tarnished.

Mr. Tynan opined that when reviewing the guidelines it appeared that the policy as a whole appeared to be amended over the years and it was very disjointed. Mr. Tynan stated his suggestions were to clean up the existing policy, make it easier to read and use, and not include too much legalese. It should be the Board's goal to present a policy that is transparent, providing everyone a known rationale and fair process, which is flexible. Mr. Tynan said this is the Superintendent's procedures that ultimately direct recommendations to the School Board.

Mrs. Kraft, who remarked that many of the comments by Mr. Marko were incorporated in her revisions, stated there is a difference between legal requirements and philosophical positions. Mrs. Kraft stated some of the comments do not have any legal basis, such as citations to the law. She said, to the extent that the policy contains things that may be different from what the law requires, it is important that the policy comply. To the extent the policy contains things that are different than the way it used to be done but are not precluded by law, it is up to the Board to give guidance to the Superintendent to ensure the implementation.

Remarking that only Section 5 of the policy was given to legal counsel for review, Mr. Marko stated that legal counsel and cadre counsel concur that the policy needs to be re-drafted and there could be better utilization of the Superintendent's committee.

The following individuals addressed this item:

Mary Fertig
Gary Rowe
Lois Sanford
Rebecca Dahl
Charlotte Greenbarg
Lisa Maxwell
Patricia Halliday
Ron Wright
Ernestine Price
Bernie Schultz
Jim Silvernale
Glenda Linton
Karen Cormack

Mrs. Kraft stated that the Board needs to discuss the composition of the Professional Standards Committee (PSC) and it is critical that the employee knows what the allegations are at the initial stages. Mrs. Kraft requested discussion on the involvement of minors in an investigation and a realistic time frame of six months for an investigation. Mrs. Kraft stated that the employees should be given more due process than is currently provided by law. She stated that a flow chart would be helpful in addition to having a policy and ascertain what the Board wants to see in terms of process. Mrs. Kraft expressed gratitude for spearheading the draft policy and to Mrs. Fertig for getting input from union members.

Ms. Dinnen stated there are significant items for discussion at a workshop and it would be helpful to have those individuals present and allowed to interact with the Board at the workshop.

Ms. Dinnen stated that the time limit and the charges issues need to be addressed to everyone's satisfaction. She suggested having peers on the committee and a legal form could be provided to the employee so that they know what they are being charged with. Ms. Dinnen stated that budget-cut times dictate that clear and tight rules are needed. She said she would support a deferral but was unsure whether a final product will be satisfactorily completed for approval by March 16, 2010.

Mrs. Bartleman said she would prefer to proceed with the process outlined by the Superintendent, to work with the groups and let them work through the process. She stated there will be three readings on the policy and the Board will be able to discuss the policy and the philosophical issue. Mrs. Bartleman concurred that the workshop discussion should include input from the individuals who helped write this policy.

Mr. Williams inquired who are the members of the committee. He stated the process brought everyone together for today's discussion and those individuals should be a part of the workshop discussion.

Mr. Notter stated that a list will be provided regarding the committee members.

Ms. Murray stated not everyone is treated equally in the process and many times they do not know their rights before their reputation is ruined. Ms. Murray urged the Superintendent to continue with the current dialogue and include the people in the conversation so that the right policy can be approved and implemented. She stated that the process today has clearly demonstrated to the public that the Board is willing to give people the opportunity to bring their thoughts forward on how the Board should be moving.

Mrs. Gottlieb stated that the document is a work in progress and she would support it. She stated it is very important that all stakeholders are included in the process of creating this policy and that clarification is needed. Mrs. Gottlieb further stated that Board meetings allow for public input, written information can be provided in advance, and the meetings are televised; she believes that input should be made with the utmost transparency in the public.

Motion to Defer (Carried)

Motion was made by Ms. Murray, seconded by Mrs. Kraft and carried, to defer the agenda item to the April 20, 2010 Regular Board meeting.

Mr. Notter requested that the item be deferred to a time certain on April 20, 2010, and he will meet with the new Executive Director of Special Investigative Unit, as the position will be submitted for Board approval on March 16, 2010. Mr. Notter stated that Board workshops are scheduled prior to April 20, 2010, and he would like to discuss the PSC component and get it refined, and then review the remainder of the policy.

- 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

Adjournment This meeting was adjourned at 4:12 p.m.

RT