

Approved in Open Board Meeting, July 22, 2011

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

June 7, 2011
Tuesday, 9:45 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:02 a.m., Tuesday, June 7, 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. Bartleman, seconded by Mrs. Gottlieb and carried, to approve the official minutes for the following Board Meetings, as amended: (9-0 vote)

April 25, 2011 – Special – General Counsel Finalist Interviews
April 27, 2011 – Special – Superintendent Search Process
May 3, 2011 – Special – Student Expulsions
May 3, 2011 – Regular School Board Meeting
May 17, 2011 – Special – Student Expulsions

At the request of Mrs. Bartleman, corrections were made to the May 3, 2011 Regular School Board Meeting, pages 6, 23 and 24. (The changes were made and entered into the record).

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

SPECIAL PRESENTATIONS

Government Finance Officers Association (GFOA) Budget Award to the Budget Department

Ms. Linda Davidson, Director, Financial Services, City of Boca Raton, and serves as President of GFOA, presented the Distinguished Budget Presentation Award to the School Board of Broward County. The award has been promoting a preparation of high-quality budget documents since 1984. The purpose of the program is to encourage and assist governments to prepare excellent budget documents for the benefit of citizens and other parties with a vital interest in governments' finances.

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To earn the award, the School Board had to substantially conform to the program's demanding criteria. Such a record reflects the professionalism and commitment of numerous individuals, as well as many hours of hard work. Ms. Davison stated that the School Board has won this award 15 times, and commended staff and policymakers of the district.

Ms. Jane Turner, Director, Budget, accepting the award on behalf of the School Board, stated that it is always exciting to get this award, and every year the budget documents get better because GFOA gives the district feedback every year; to make it the best document so that the public can understand the budget.

Mr. Williams commended Mr. I. Benjamin Leong, Chief Financial Officer, and staff, for winning their 15th award.

Mrs. Bartleman thanked and recognized Ms. Turner for being an outstanding asset to the district, and wished her well in retirement.

Congratulating the district for its award, Ms. Dinnen stated that this department is outstanding and reflects the action and operation of staff with the entire district. She thanked Ms. Turner and said she will be sorely missed.

Ms. Turner stated the Budget staff is the best in the world.

Acts of Green Student Video Contest Winners (Via Video Conference)

Dr. Phyllis Schiffer-Simon, Director, BECON, recognized the winners of the first-ever student video competition, Acts of Green. The purpose of the contest was to encourage students in school environmental clubs to submit public service announcements (PSAs) and video to share the work they are doing to promote environmentally-sound practices in their schools and community.

Earlier in the year, students had been asked to create a four-minute video highlighting their school's environmental accomplishments throughout the 2010/11 school year. That effort led to the PSA contest. Students from 13 elementary, middle and high schools submitted a total of 17 original PSA videos highlighting how their Acts of Green are contributing to saving the planet. Viewers were allowed to rate the videos and make comments online. To date, there have been over 18,000 hits and comments from viewers, both locally and as far away as Italy.

The winning Acts of Green PSAs may be viewed at: (http://www.broward.k12.fl.us/green/EcoContests/vid_winners2011.htm). The winning schools are: Indian Trace Elementary, Sawgrass Springs Middle and Pompano Beach High. Coral Springs High School and Community Adult Resource Education program (CARE), received honorable mentions. The four award-winning videos were from Indian Trace Elementary School, Pompano Beach High School, Sawgrass Springs Middle School, and Coral Springs High School students representing their schools.

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Special thanks was given to BrightStar Credit Union for sponsoring the competition.

Mrs. Rich Levinson introduced Indian Trace Principal Wanda Ross, and staff members Patty Debase, Kathryn Puccio and Marianne Barr, who worked with the students to produce their winning video, "Eco Tracer." Mrs. Rich Levinson stated it is wonderful to see elementary students engaged in eco-friendly projects like this. The school was congratulated on a great job and on their accomplishment.

Mr. Thomas congratulated Sawgrass Middle School on their winning video, "Sawgrass Going Green." Congratulations was also extended to Interim Principal Steven Carruth; Environmental Magnet Coordinator Joanne Cantlupe; and teachers Maxine Alba, Linda DeCarlo, Jennie Katz, Linda Lidestri, Linda Peterson and, of course, the students.

Mr. Thomas congratulated Coral Springs High School students and staff who won an Honorable Mentioned for their Care Program video: Principal Susan Leon-Leigh, and staff members Lisa Yurkin and Baron Dyer.

Mrs. Rupert extended "kudos" to Pompano Beach High School for their winning video, "PBHS Recycle." Principal Hudson Thomas and teachers Ralph Marchand and Amanda Schultz were recognized, along with the students that worked on this project. Mrs. Rupert stated she is very proud of their efforts to help save the planet.

McArthur High FSBA video contest - "What's Good About Broward Schools" (Via Video Conference)

Ms. Murray recognized McArthur High School for being a first-place winner in the Florida School Boards Association's (FSBA) video contest and will be awarded the top prize of \$5,000. Over 43 public schools from across the state participated in this event. McArthur's video will be shown at the joint conference of FSBA and the Florida Association of District Superintendents, to be held June 8, 2011 in Tampa.

Schools were encouraged by FSBA to submit 30-second student-produced public service announcements entitled, "What's Super About Public Schools!" FSBA President Candace Lankford said the contest is part of FSBA's efforts to initiate a statewide conversation emphasizing the positive aspects of public schools and their students.

This after-school project was lead by English teacher Joanna Herring, with student Seniors Samantha Profetto, Joseph Robinson, and Robert Wilson; Junior Tracy Ann Beharie; and Sophomore Victor Ly.

Following the viewing of the award-winning video by the School Board and the audience, Ms. Murray stated that the prize money will allow the re-establishment of the school's TV production program.

Congratulations was extended to McArthur High School for their accomplishment.

Presidential Scholar – Isabela Dos Santos, student at Cypress Bay High School

Mrs. Rich Levinson introduced Isabela, student at Cypress Bay High School, who appeared with her mother. Isabela was named the U.S. Presidential Scholar in the Arts by the U.S. Secretary of Education. She was only one of 20 students in the nation selected for this honor and will be attending a special ceremony in her honor with President Barack Obama June 19 - 20, 2011 in Washington, D.C. Isabela's work will be exhibited at the Smithsonian while she is in Washington, D.C.

Mrs. Rich Levinson noted that the likelihood of a student being selected for this honor is one out of 20,000 students. Isabela has achieved this award based not only on her artistic achievements but her academics, character and community service. She will be attending the California Institute of the Arts in the fall, only one of 10 students in the world accepted to the experimental animation program.

In addition to this prestigious award, Isabela has a remarkable resume of many accomplishments. In June 2011, she was invited to write an article about Stop Motion Animation, which was published in Johns Hopkins Imaging magazine in the May/June issue about media arts and technology. In March 2011, Isabela was awarded a gold medal in the Film and Animation category for the Scholastic Art and Writing awards. In January 2011, Isabela was a Gold Key winner in the Film Animation category and a twice Silver Key winner in the Painting category for the Scholastic Art and Writing program at the regional level.

Isabela's most recent animation "Being", which will be displayed at the Smithsonian, was shown to the Board and the audience.

Mrs. Rich Levinson presented a Certificate of Outstanding Achievement to Isabela, honoring her as a 2011 U.S. Presidential Scholar in the Arts, for achievement in the arts, academics, character and community service.

Isabela thanked the Board for the recognition, stating it means a lot to have the support of the county as she prepares to leave for Washington, D.C. next week to represent Cypress Bay and Broward County, along with her AP English teacher Jillian Simon, who will be recognized as a Teacher of Merit by the U.S. Department of Education. She stated that her focus is to let the community know, particularly students and teachers, that there are programs that recognize people with passion, brilliance and ambition to make the most of education, of their own strengths and of the world. Isabela, noting that everyone stresses about the budget, stated that it is not always about getting straight As; it is about being the best citizen you can be for the country and the world, by expanding your mind in all aspects.

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Isabela further stated that despite the fact that the arts are unfortunately jaded in this society, the arts are really powerful and artists are also leaders in this society who can help and contribute as well as other professions. She stated there needs to be an equal balance between the arts and academics; not forced credits for graduation but a sincere introduction to society of arts as an intelligence, as a crucial aspect of the human race, as art truly is. Isabela said it is the creativity and the intelligence combined which Presidential Scholars honors and which earned her a ticket to the White House and to her future.

Isabela urged students that they have potential and to not be afraid to achieve. She thanked Mrs. Rich Levinson, her assistant Maureen Cory, and the School Board for allowing her the opportunity to be recognized and be heard.

Mrs. Rich Levinson congratulated Isabela's mother, Layda Dos Santos.

Mrs. Dos Santos thanked the School Board and Mrs. Rich Levinson for acknowledging Isabela's hard work at school and her success in the arts. She stated she and her husband could not be more proud of her.

Best wishes was extended to Isabela on her trip to Washington, D.C. and a successful experience in the program at the California Institute of the Arts.

Mrs. Good congratulated Isabela and her mother, stating that she is an inspiration to many students. Her talent in the arts, writing, speech and achieving a 5.0 grade point average is to be commended.

REPORTS

District Advisory Council – Jeanne Jusevic

Ms. Jusevic reported that DAC met on May 11, 2011 and passed a motion adopting an Advisory Committee Member Code of Ethics, to promote ethics and transparency in the operations of all advisory committees to the School Board of Broward County. DAC would like to discuss the use of Policy 1164 (Public Engagement), that addresses looping and what policies should be sent to DAC, Area and School Advisory Forums for review and comment.

Ms. Jusevic, on behalf of DAC, commended the School Board for its consideration of the superintendent's search process and stakeholder input throughout the process.

Ms. Jusevic will give her final report as DAC Chair on June 21, 2011, and will be introducing Jodi Klein as the new incoming DAC Chair.

A comprehensive written report was submitted to the Board.

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Broward County Association of Student Councils and Student Advisor to the Board – Spencer Shwiky

Spencer presented his first report to the School Board, stating that the BCASC Convention was held on May 20, 2011, a successful event with 450 students attending. Service projects for the 2011-2012 school year were recommended and decided upon and officers for countywide student government were also selected.

The first Speak Up, Speak Out session was held, whereby students spoke about issues affecting all students. This summer students will be attending various camps which the Board has supported in the past, notably the South Florida Leadership Training Camp.

Technology Advisory Committee – Joel Levine

Dr. Levine reported that at the May 9, 2011, TAC meeting discussion and feedback was held regarding software and hardware changes, and service. Certain software is going to be phased out and other software will be phased in for economic reasons. Software that is going to be maintained has been renegotiated in terms of prices and quantities of licenses. Also, software for learning management systems is being reviewed and piloted, including a review of outsourcing, Network Operating Center, and Bring your Own Technology guidelines for teachers.

Dr. Levine informed the Board that elections were held and he has been selected as Chair for next year. He commended the excellent staff at Education Technology Services (ETS) and BECON, stating it was a pleasure working with them and looks forward to next year.

Mrs. Bartleman inquired whether Blackboard is being replaced due to pricing or because another tool will be better.

Dr. Levine responded that Blackboard pricing is an issue, but other tools are being reviewed to ascertain if they have the same features and what will be the cost, such as Moogoo, an open-source tool. Dr. Levine stated that the license is sold and the buyer is allowed to customize it as much as they want, but there are certain support issues regarding some of the open-source tools. Even though initially the costs are a lot less, the total cost of ownership needs to be reviewed. Dr. Levine further stated that a lot of districts are going to Moogoo as opposed to Blackboard.

Mrs. Bartleman inquired whether the course content that is available to instructional staff on Blackboard will remain the same.

Dr. Levine responded that there are a lot of features of delivery systems that are similar and it would not be difficult to work that over to another system. That would be one of the factors to look at in moving to other systems.

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Remarking that she has taken courses on Blackboard, Mrs. Bartleman stated it is hopeful that input will be gathered from Curriculum staff to make sure. She stated it may be the cost but if it is an inferior product as far as content instruction for instructional staff, it may be a problem.

Concurring, Dr. Levine stated these are definitely factors that are important.

Mrs. Bartleman stated that course offerings would be an ESOL endorsement and with the reading endorsement are quality courses.

Dr. Levine informed that another quality program being reviewed is Desire to Learn.

A comprehensive written report was submitted to the Board.

Facilities Task Force – Charlotte Greenbarg

Ms. Greenbarg reported that the Task Force welcomed new members Jenise Finkelstein, Ms. Rupert's appointee; Darius Saunders, Assistant Principal, Hallandale High School and the I-Zone representative; and Deirdre Benka-Coker, Assistant Principal, Henry D. Perry Middle School and I-Zone representative.

In the absence of Mr. Thomas Lindner, Acting Deputy Superintendent, Facilities and Construction Management, discussion was held on the PPO facility at the Southwest bus depot, the priority needs list at Hallandale High and the roof at Hollywood Hills High. The depot was contracted for \$5 million and is now up to \$18 million after several years of construction.

A motion was made, and passed unanimously, regarding the question of whether there has been progress on the development of the PPO facility, recommending that the funds be reallocated to such projects as previously mentioned that would have a direct benefit for students and staff and that those dollars not be absorbed by the Capital budget. A request was made that the district look into the ramifications of canceling the PPO contract.

Also discussed was the district's credit rating problems. Ms. Greenbarg stated that she warned the district on February 17, 2004, that they would run into a problem in the future because of the excessive amount of debt that was being incurred.

A QSEC training session has been requested for June or July for all interested parties. An internal committee was formed comprised of Cliff Germano, Nick Sakhnovsky, Katie Leach, Jenise Finkelstein and Doug Snyder, to review data from Task Force QSEC participants and come back with recommendations in August.

Reports were given regarding Tools for Schools, Energy and Environmental Design, and Transportation.

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Ms. Greenberg further reported that the process of bumping was discussed. She was asked at the Citizens Budget Task Force to present specific examples of the kinds of problems this causes. Mr. Linder redacted six examples to protect identities; she asked for six examples and there are more examples. She stated that there will be additional bumping this year and there were 18 bumping incidents in Facilities last year.

During the transition and training period, the work normally produced by these employees comes to a standstill. Not only is work lost of an employee by cutting a position, the value of an experienced employee who was performing the job that the displaced employee bumps into is lost. She said this dysfunctional method, in large numbers, paralyzes the organization for months.

The \$1 million+ of unaccounted-for property at Transportation was distributed to the Task Force members and can be provided to the Board Members.

Miami-Dade School District gave the onsite facilities employees the choice of re-negotiating their contracts or have 50 percent of the staff lose their jobs.

There will be no meeting in July. The next meeting will be August 4, 2011, at the offices of Mr. Jerry Graziose, Safety Director, conference room, beginning at 6:30 p.m. for the sub-committee meeting, and 7:00 p.m. for the regular meeting.

A comprehensive written report was submitted to the Board.

Mrs. Bartleman suggested that Ms. Gracie Diaz, Associate Superintendent, Human Resources to explain the contracts and the bumping process. She agreed it needs to be changed, but it is collectively bargained; the employees receive their salary for one year after they are bumped and then go down to their salary. Mrs. Bartleman stated that the Board has tried to negotiate to change the manner of this process, with no results.

Mrs. Greenberg said that the Task Force suggested that maximum effort be directed to showing the wisdom of changing this procedure.

Diversity Committee – Roland Foulkes

Mr. Foulkes reported that three motions were made at the Diversity Committee meeting, two passed and one failed, and provided to the Board. He noted that the Board Members' packet includes a Black in Latin America documentary by Harvard Professor Dr. Henry Louis Gates, Jr., which was shown on Saturday, April 16, 2011, at the African American Research & Cultural Center. Board Members and the community were invited to the Community Forum on Monday, June 13, 2011, beginning at 7:00 p.m., at the Hallandale Community Cultural Center at the main auditorium; focusing on Hallandale High and other schools in that area.

Mr. Foulkes extended birthday wishes to Ms. Ernestine Price, on behalf of the Diversity Committee. She was praised for her spirit, encouragement and dedication to children.

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Mr. Foulkes further reported that a motion was passed (17-2) to accept the Diversity Committee's annual response to the Superintendent's Citizens Concerned about our Children annual update, a report that will be workshopped on June 14, 2011. The second motion failed (8-7), that the Diversity Committee ask the School Board Member who appointed Mr. Michael Rajner to ask him to apologize to the Board and Ms. Price before he comes back to a meeting.

The third motion passed (11-4), that the Diversity Committee condemns disruptive and disrespectful behavior and comments made by Mr. Michael Rajner and directed towards Ms. Price, committee members and chair. That further consequences or actions may be taken against Mr. Rajner for said behavior once Ms. Michaelle Pope, Director and Cultural Outreach Department, researches possible action with her staff.

Mr. Foulkes invited Board Members to attend the Community Forum on June 13, 2011, 7:00 p.m. He informed that observers from the United Nations, education, cultural and scientific organizations, High Commissioner for Human Rights, NAACP's Legal and Education Defense Fund, the Advancement Project of Washington, D.C., and a number of other civil rights organizations from the country will be in attendance.

ESOL Leadership Council – Zayra Lenchus

Ms. Lenchus reported that ESOL Leadership Council's major goal for the 2010-2011 school year was to expand the knowledge of ELL parents to the many internet resources available to them; to assist their students and be well informed. There have been hands-on workshops integrated into the general meetings for Virtual Counselor, Pinnacle and BEEP. There have also been meetings to introduce parents to the licenses provided to them for K-12 and iPados that provides instructions to students and parents on core knowledge in math, science, social studies and Language Arts. The Parent K-12 website is available in English, Spanish and Haitian Creole, and the iPados is in English and Spanish. There was an informative presentation by Dr. Mark Quintana, Curriculum Specialist, on all the changes to the graduation requirements, EOC's and test changes.

The Bilingual Parent Institute was held on April 9, 2011, "Building Our Future." Workshops for approximately 275 parents were held to highlight Achieving Success in High School and Preparing for College, Financial Aid, Learning about Gangs in Schools and learning how to use the internet resources available to them. Workshops were held in Spanish and in English with translation for Haitian Creole and Portuguese.

Ms. Lenchus further reported that for the 2011-2012 school year the Council will be assisting the ESOL department in redesigning the parent website. Training will be offered to new parents that are interested in joining the committee. The committee will also collaborate with other Parent Leadership Councils in Palm and Miami-Dade counties.

Gratitude was expressed to Mr. Notter for his continuous support of all ELL students and parents of Broward County.

BOARD MEMBERS

Mrs. Gottlieb congratulated Beachside Montessori Village on their inaugural year. The school was credited for the successful program that the district has replicated and their incredible achievements on their test scores, one of the top schools in the county and the state in their test scores.

Speakers

Rhonda Ward
Billy Davison
Rep Ari Abraham Porth
Marty Jacobsen
Darlene Price
Ernestine Price
Liliana Pardo
Ashley Jagers
Giovanni Rodriguez
Lissette Rodriguez
Morton Friedrich
Jay Golden
John Rodstrom
Denise Appleby Horland
Andrea Scgebuji-McKinnon
Darren Marsh
Peter Valerioti
Michael Eisler
David Butz
Roland Foulkes

Ms. Dinnen suggested that Mr. Benjamin Leong, Chief Financial Officer, have a meeting with today's speaker, John Rodstrom, Broward County Commissioner.

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 Mrs. Rupert and carried, to approve the Consent Agenda for the remaining items (**identified by ***). (9-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

A-1. Resolution in Support of Parkland Disability Advisory Board (Adopted)

Motion was made by Mrs. Gottlieb, seconded by Ms. Murray and carried, to adopt Resolution #11-106, in support of Parkland Disability Advisory Board. Mrs. Gottlieb was absent for the vote. (8-0 vote)

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Mrs. Bartleman informed that student Garret Mayersohn and a small group of his peers are forming a school organization, Parkland Disability Advisory Board (P-DAB). This student disability led organization has identified challenges that youth with disabilities face and has taken some impressive steps in making significant changes in their school and community.

Mrs. Bartleman stated these students are making a difference and it is the Board's hope that they can accomplish what they set out to accomplish.

Mrs. Bartleman further stated that Garrett is a great advocate for himself and for all students in the Broward school system; he is a great speaker before the State Legislature, he is a hero to the School Board who thinks out of the box and is willing to come up with new ideas and follow through.

Following a video presentation highlighting P-DAB, Garrett stated that the primary focus of P-DAB is spreading awareness about individuals with disabilities. Garrett said he saw a need through his peers that people with disabilities are just people; discussing issues that he and others face. Garrett stated that he shared his vision in 2010 with David Miller, Forever Friends, an organization for people with disabilities.

Garrett shared his belief that P-DAB has made and is going to make a positive impact on the school culture and in the future the model will be extended to other schools in Broward County. Garrett thanked Stoneman Douglas Principal Ann Kowalski and Assistant Principal Ms. Lucille Flynn, and students who assisted in the video production. Garrett also thanked the Board for everything they do for people with disabilities. Garrett and Peer Counseling

Mrs. Bartleman stated that the resolution will be circulated throughout the municipalities, peer counseling groups, and on the district's Best Practices website.

Mrs. Rich Levinson congratulated Garrett and stated she recently saw him in action during this year's Legislative Session in Senator Eleanor Sobel's office. She praised Garrett's passion about promoting awareness and said this is a start of a wonderful project across the district.

Ms. Dinnen stated that she had the privilege of watching Garrett testify before committees and visiting legislative offices in Tallahassee. She thanked Garrett for representing all students in Broward County.

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B. BOARD MEMBERS

B-1. Appointment of Interim Superintendent of Schools (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Gottlieb and carried, to direct appointment of an Interim Superintendent of Schools and authorize the Board Chair to enter into contract negotiations with the candidate. (**Selected Donnie Carter**). Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

The advertisement for the Interim Superintendent of Schools concluded on Thursday, June 2, 2011. The Human Resources Division did not receive any applications for the position; therefore, the School Board should directly appoint an Interim Superintendent in order for an agreement to be negotiated in a timely manner and have it Board approved at the June 21, 2011 Regular School Board Meeting.

There is no financial impact to the district.

Mr. Williams stated that he has been advised by the Interim General Counsel that at a minimum the candidate must meet the most recently advertised qualifications, which is a bachelor's degree or higher, a minimum of 10 years experience in education or business, with 3 years of the 10 years having been in a senior or executive level position.

Motion (Carried)

Motion was made by Ms. Dinnen, seconded by Ms. Murray, to appoint Donnie Carter for that particular appointed position. Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

Second Motion (No vote taken)

Motion was made by Mrs. Rupert, seconded by Mr. Thomas, to appoint Lynette Tannis as Interim Superintendent of Schools.

Responding to Mr. Notter's inquiry, Ms. Gracie Diaz, Associate Superintendent, Human Resources, stated that Mr. Carter does meet the qualifications as the Board last amended for the advertisement, with the minimum of a bachelor's degree, with 10 years of experience, with 3 years experience being at a senior level position. She informed that Ms. Tannis has 10 years of education experience, has the degree qualifications, but the question is whether she would have the senior level experience. Her highest level position was a principalship at a charter school, and that does not necessarily constitute a senior level position.

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Mr. Thomas informed that the Board received an e-mail from Mr. Luciani. Based on the criteria outlined, Mr. Luciani has the senior level experience.

Third Motion (Withdrawn)

Motion was made by Mr. Thomas, seconded by Mrs. Rupert, to appoint Andrew Luciani for that particular appointed position.

Responding to Mr. Williams' inquiry, Ms. Diaz stated that the original advertisement indicated the applicant must be an internal applicant. She stated that Mr. Luciani is outside the district.

Mr. Thomas stated that he spoke with Ms. Diaz who indicated that since it is an appointment the "window is wide open."

Ms. Diaz informed that part of the discussion today is to appoint an internal or an external candidate; the Board is not restricted based on this item because there were no candidates that applied to the vacancy. Ms. Diaz concurred that the item is open to appoint a candidate and it does not restrict either way.

Motion to Close Nominations (Carried)

Motion was made by Ms. Dinnen, seconded by Mrs. Rich Levinson and carried, to close the suggested nominations for appointment. (9-0 vote)

Responding to Mrs. Rupert's inquiry, Ms. Diaz clarified that based on the job description, principal experience is listed in the 10 years, but senior level experience indicates Associate Superintendent, Area Superintendent, Superintendent. Ms. Tannis' principalship does not rise to the same level as a senior level experience. Ms. Diaz clarified that a principalship is indicated in the 10 years of educational experience, but not listed in the 3 years experience out of the 10 years, which has to be senior level experience.

Mrs. Batista-McNamara recommended that the Board follow the last advertised qualifications for the position.

Mr. Notter stated that the two names for consideration are Donnie Carter and Andrew Luciani.

A vote was taken on the Motion to Close Nominations.

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Ms. Dinnen stated that the current job description for Chief Operating Officer, Mr. Carter's current job, states, "An earned master's degree from an accredited institution or an earned bachelor's degree from an accredited institution." Ms. Dinnen said that any time Mr. Notter has left the district Mr. Carter has taken over with his present credentials. She said that the temporary decision will not last beyond, or at most, the end of September. Ms. Dinnen reiterated that new policies and procedures should not be instituted except by the new superintendent, who will bring his/her sets of procedures and management style. She stated that the interim should be someone who is familiar with the district's procedures, as Mr. Carter, who has stepped into the position repeatedly, sometimes during extreme crises situations, such as Mr. Notter attending an out-of-state meeting.

Mrs. Rupert stated that Mr. Luciani was a 20-year principal at all levels, been in the military and served as director, currently has just completed an interim superintendent position in New Jersey and helping them in the search for the current superintendent. Mrs. Rupert further stated that Mr. Luciani is a retiree in Broward County, having a 40-year education career, who would like to help the district and continue with the district's stability. She said that Mr. Luciani also has business experience, relationships with the community and the education field.

Mr. Thomas stated that a fresh set of eyes would be appropriate, even though he does not anticipate any interim superintendent to be making any drastic changes knowing that a new superintendent will be coming on board.

Voicing her support for Mr. Carter, Mrs. Rich Levinson stated that the district is undergoing a time of unrest and consistency and stability is needed for employees as a priority. Mrs. Rich Levinson stated the Board's focus should be on hiring the new superintendent for a few months. She further stated that there will also be less cost to the district because Mr. Carter is already on the payroll and would receive a small increase in salary, and Mr. Notter's salary will no longer be in place. She said that hiring an outside person would be an additional financial impact that is not necessary at this time.

Mrs. Good inquired whether the information on Mr. Luciani has been reviewed.

Ms. Diaz responded that she has not received Mr. Luciani's resume, to review all his qualifications. She stated if the Board is considering an outside candidate, a review would need to be made of his resume and qualifications.

Remarking that it would be appropriate to follow a process, Mrs. Good inquired how to move forward with the two candidates.

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Ms. Batista-McNamara responded that the Board would take one candidate at a time and whoever receives the majority of the votes will be the selected candidate.

Mrs. Good stated it is important to ensure that everyone on the table is a viable appointee.

Ms. Diaz clarified that Mr. Luciani does not currently work with the district and is retired.

Mr. Thomas stated that records in the district are kept 50 years and the information should be quickly verifiable.

Mrs. Gottlieb stated there might be extensive information that must be properly reviewed and there is no guarantee that his former employer in New Jersey will be providing references. Mrs. Gottlieb said she would support Mr. Carter as the Interim Superintendent.

The following individuals addressed this item:

Bernie Schultz
Roland Foulkes
Billy Davison
Marty Jacobsen
Rhonda Ward
Mary Fertig
Jeanne Jusevic
Charlotte Greenbarg

Mr. Thomas withdrew Mr. Luciani's name for consideration.

Ms. Murray noted the consistency of Mr. Carter's integrity, soft-spoken nature, fairness, "sticks" to the facts, and he is a part of the district's team. Ms. Murray stated there are three Area Superintendents who keep the schools open and Mr. Carter is fully knowledgeable of the district's financial situation, as the budget will be balanced and closed. She concurred that the Board's focus should be on selecting a new superintendent and Mr. Carter will assist in the smooth transition to the incoming superintendent of schools.

Mrs. Rupert reiterated her belief that an external candidate would be the right decision for the district.

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Mrs. Good stated she respected the discussion and voted at the Board Workshop on this issue. She said that in an effort to move forward, the Board needs to get beyond the Grand Jury Report and move in a positive manner, regardless of who is appointed.

Mrs. Bartleman stated that Mr. Carter has the qualities, integrity and experience to keep the district moving. She looked forward to Mr. Carter keeping the district "afloat" until the new superintendent is selected.

E. CHIEF OPERATIONS OFFICER

- *E-1. Agreement with Keiser University to Precept Dietetic/Nutrition Students (Approved)

Approved the following Agreement with Keiser University for Dietetic/Nutrition Students to Complete Planned Service Experience in Broward County Schools.

The Food and Nutrition Services (FNS) Department has been training and instructing various undergraduate and graduate dietetic/nutrition students since 1978 in order to prepare students for the food service industry. These interns are not compensated for their training under this agreement; this program only provides for actual experience. Recent and current training agreements include Eastern Michigan University and Florida International University. These programs have provided benefits to The School Board of Broward County, Florida (SBBC), as well as, the students.

The Program Manager for Nutrition Education and Training in FNS will be supervising students' training and education. The following are types of supervised experiences dietetic students might be involved in: food production and management; employee in-services and training; quality improvement projects; food and nutrition promotions/marketing and nutrition education.

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

There is no financial impact to the district.

- *E-2. 2011-2012 Opening and Closing School Times (Regular Term) (Approved)

Approved the opening and closing school times for 2001-2012.

Approved in Open Board Meeting, July 22, 2011

Schools are scheduled to open and close at times that will best utilize existing resources to provide required pupil transportation services and compensate for student and program growth.

There is no additional financial impact based on the scheduling information available at this time.

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

- *F-1. Approval of Requests to Defer the Opening of Charter Schools until the 2012-2013 School Years (Approved)

Approved the requests to defer the opening of charter schools until the 2012-2013 school year for: Renaissance Charter School, Inc. – Renaissance Charter School of Broward – East; Renaissance Charter School, Inc. – Renaissance Charter School of Broward – South; Renaissance Charter School, Inc. – Renaissance Charter School of Broward – West.

On November 9, 2010, The School Board of Broward County, Florida ("SBBC"), approved charter school applications enabling approved charter applicants listed above to open charter schools the 2011-2012 school year. Pursuant to School Board Policy 1163, at the written request of the approved applicant and for good cause shown, the school district may allow the approved applicant to defer the opening of its charter school for a period not to exceed the second year following the approval of its charter application. The decision whether to approve the delayed opening of the charter school shall be within the sole discretion of The School Board.

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

There is no financial impact to the district.

- F-2. Charter School Agreement – Florida Charter Foundation, Inc., (Franklin Academy A) (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the Charter School Agreement for Florida Charter Foundation, Inc., (Franklin Academy A). (9-0 vote)

Approved in Open Board Meeting, July 22, 2011

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter. This is an opening of a new charter school.

A copy of the Charter School Agreement between The School Board of Broward County, Florida, and Florida Charter Foundation, Inc., (Franklin Academy A), is available in the Board Members' office on the 14th floor of the KC Wright Building.

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

There is no financial impact to the district.

Mrs. Good stated that she voiced her concern with staff regarding the opening of the school for the upcoming school year, and that assurances have been given by the applicant.

Concurring, Mrs. Jody Perry, Director, Charter Schools Support, stated that assurances have been given and a request has been made for documents to be submitted to the Charter Schools office by July 22, 2011. She stated that in the event the documentation is not provided, the applicant has agreed to provide a temporary facility with all the appropriate certificates of occupancy prior to 30 days.

*F-3. Charter School Agreement – Florida Charter Foundation, Inc., (Franklin Academy B) (Approved)

Approved the Charter School Agreement for Florida Charter Foundation, Inc., (Franklin Academy B).

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter. This is an opening of a new charter school.

Approved in Open Board Meeting, July 22, 2011

A copy of the Charter School agreement between The School Board of Broward County, Florida, and Florida Charter Foundation, Inc., (Franklin Academy B), is available in the Board Members' office on the 14th floor of the KC Wright Building.

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

There is no financial impact to the district.

- *F-4. Second Amendment to the Charter School Agreement with Renaissance Charter School, Inc., regarding Hollywood Academy of Arts & Science Elementary School, (Location #5325) (Approved)

Approved the Second Amendment to the Charter School Agreement with Renaissance Charter School, Inc., to increase the student enrollment number for Hollywood Academy of Arts & Science Elementary School (Location #5325), and include provisions concerning class size and facility capacity.

Renaissance Charter School, Inc., desires to amend its charter school agreement to increase student enrollment from 650 to 1,100 at Hollywood Academy of Arts & Science Elementary School, (Location #5325), for the 2011-2012 school year.

The original agreement with Renaissance Charter School, Inc., (Hollywood Academy of Arts & Science Elementary School), was approved at the June 15, 2004, School Board Meeting, Item I-5.

A First Amendment to the Charter Agreement was approved at the June 25, 2005, School Board Meeting, Item I-10, decreasing the grade levels served, decreasing enrollment and establishing an expanded feeder pattern with the Hollywood Academy of Arts & Science Middle School.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

Approved in Open Board Meeting, July 22, 2011

- *F-5. Second Amendment to the Charter School Agreement with Renaissance Charter School, Inc., regarding Hollywood Academy of Arts & Science Middle Charter School, (Location #5362) (Approved)

Approved the Second Amendment to the Charter School Agreement with Renaissance Charter School, Inc., to decrease the student enrollment number for Hollywood Academy of Arts & Science Middle School, (Location #5362), and include provisions concerning class size and facility capacity.

Renaissance Charter School, Inc., desires to amend its charter school agreement to decrease student enrollment from 900 to 450 students at Hollywood Academy of Arts & Science Middle School, (Location #5362), for the 2011-2012 school year. It will amend the student enrollment configuration and include provisions concerning class size and facility capacity.

The original charter agreement with Renaissance Charter School, Inc., (Hollywood Academy of Arts & Science Middle School), was approved at the June 21, 2005, School Board Meeting, Item I-14. A First Amendment to the Charter Agreement was approved at the June 25, 2006, School Board Meeting, Item I-7.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

- *F-6. Fourth Amendment to Charter School Agreement with Somerset Academy, Inc., on behalf of Somerset Neighborhood School, (Location #5021) (Approved)

Approved the Fourth Amendment to the Charter School Agreement with Somerset Academy, Inc., on behalf of Somerset Neighborhood School, (Location #5021), to change the location of the charter school and for the Sponsor to include new provisions in the Charter Agreement. It is requested that The School Board of Broward County, Florida (SBBC), approve the Fourth Amendment to the Charter School Agreement with Somerset Academy, Inc., to change the location of the charter school for the 2011-2012 school year and subsequent years and for the Sponsor to include new provisions in the Charter Agreement.

Approved in Open Board Meeting, July 22, 2011

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

- *F-7. First Amendment to Charter School Agreement with Somerset Academy, Inc., on behalf of Somerset Preparatory Charter Middle School, (Location #5441) (Approved)

Approved the First Amendment to the Charter School Agreement with Somerset Academy, Inc., on behalf of Somerset Preparatory Charter Middle School, (Location #5441), to change the location of the charter school and for the Sponsor to include new provisions in the Charter School Agreement.

It is requested that The School Board of Broward County, Florida (SBBC), approve the First Amendment to the Charter School Agreement with Somerset Academy, Inc., to change the location of Somerset Preparatory Charter Middle School, (Location #5441), for the 2011-2012 school year and subsequent years and for the Sponsor to include new provisions in the Charter School Agreement.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

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 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. Interim Substitute Teachers
3. Temporary Hourly Teacher Approvals
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 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
2. Instructional Suspensions/Terminations

There will be no financial impact to the school district.

Approved in Open Board Meeting, July 22, 2011

- *G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2010-2011 & 2011-2012 School Years (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 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/Temporary Employees
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 the 2010-2011 & 2011-2012 school/fiscal year for all appointments through June 30, 2012.

Recognition of newly-appointed staff was made by School Board Members Mrs. Bartleman, Mrs. Gottlieb, Ms. Dinnen, Mrs. Rich Levinson, Mrs. Good, Ms. Murray, Mr. Thomas, Mrs. Rupert and Mr. Williams.

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

Approved 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 Department of Education and The School Board of Broward County, Florida.

Approved in Open Board Meeting, July 22, 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.

*G-5. Supplemental Pay Positions – List #20 (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 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 lists all individuals recommended for Non-Specific Supplements.

Non-Specific Supplements are additional task assignments performed beyond the employee's regular day based on the recommendation of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions.

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

Approved in Open Board Meeting, July 22, 2011

- *G-6. Recommendation(s) for Instructional/Noninstructional Discipline for the 2010-2011 School Year (Approved)

Approved the recommendation(s) for discipline as listed on the for Instructional/ Noninstructional staff list. All recommendation(s) 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.

This disciplinary action recommendation is a result of an investigation by the Office of Professional Standards & Special Investigative Unit. The individual(s) involved have been provided the opportunity to appear and participate, with representation, before the Professional Standards Committee and in a pre-disciplinary hearing prior to submission of this recommendation. We have followed the School Board processes for disciplinary action. The requested action(s) is listed on the attachment.

There is no financial impact to the school district.

H. ATTORNEY

- *H-1. Broward County School Board vs. Jessica Harrison (Adopted)

Considered and adopted (1) the Recommended Order, rendered on November 18, 2010, by Stuart M. Lerner, Administrative Law Judge, in the matter of Broward County School Board, Petitioner vs. Jessica Harrison, Respondent, Case No. 09-6371, before the State of Florida Division of Administrative Hearings; and (2) approve the Final Order in this cause.

On November 10, 2009, The School Board voted to approve the recommendation to suspend and terminate Jessica Harrison from her position as a school social worker. Ms. Harrison requested an administrative hearing before the State of Florida Division of Administrative Hearings.

Following the administrative hearing, the Administrative Law Judge issued a Recommended Order, recommending that The School Board issue a final order terminating Respondent's employment as a professional service contract school social worker with The School Board. No exceptions to the Recommended Order were filed by either party (see Exhibit 3).

The School Board of Broward County, Florida is required to take final agency action in this matter. Attached hereto as Exhibit 3 is a Final Order that has been approved as to form and legal content by The School Board Attorney's office.

Approved in Open Board Meeting, July 22, 2011

There is no financial impact to the district.

I. OFFICE OF THE SUPERINTENDENT

J. FACILITIES AND CONSTRUCTION MANAGEMENT

- *J-1. Authorize Public Announcement Pertaining to School Board Policy No. 7003 – Fire Sprinkler and Fire Suppression Contracting Services – Pre-Qualification of Contractors (Approved)

Approved authorization for Public Announcement pertaining to School Board Policy No. 7003.

The Facilities and Construction Management Division recommends the issuance of the Public Announcement pertaining to Board Policy No. 7003 for the following reasons:

1. The District currently has only one contractor pre-qualified to provide Certified Fire Sprinkler and Fire Suppression Contracting Services.
2. In response to a recent Invitation to Bid, only one contractor pre-qualified to provide Certified Fire Sprinkler and Fire Suppression Contracting Services submitted a bid. State Requirements for Educational Facilities requires solicitation of no less than three potential bidders.
3. Proceeding with the Public Announcement will enable the District to announce the need for pre-qualified contractors able to provide Certified Fire Sprinkler and Fire Suppression Contracting Services.
4. Enlarging the pool of pre-qualified contractors providing Certified Fire Sprinkler and Fire Suppression Contracting Services should result with increased competition and ensure competitive pricing.

Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$18,500,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2010-11. Budgeted for fiscal year 2011-12 is \$9,893,000 and for fiscal year 2012-13 is \$14,000,000.

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.

Approved in Open Board Meeting, July 22, 2011

- *J-2. Grant of Utility Easement to Florida Power and Light (FP&L) for Palmview Elementary School (Approved)

Approved the grant of a Utility Easement to FP&L to upgrade the electrical service at Palmview Elementary School.

The proposed Utility Easement is required by FP&L to upgrade the electrical service to the existing electrical vault at Palmview Elementary School for the new "Stand Alone" Multipurpose Building. The increase in electrical service is necessary to accommodate the increased electrical loads for the entire facility.

The Easement has been reviewed and approved as to form and legal content by 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.

- J-3. Amendment to the State Educational Plant Survey 2009-2014 (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the Superintendent's recommendation and authorize staff to amend the State Educational Plant Survey 2009-2014. Mrs. Rich Levinson was absent for the vote. (8-0 vote)

Larkdale Elementary School was identified as an Intervene School based on the results of the 2008 FCAT and AYP. Under Florida's Differentiated Accountability Plan, the District Managed Turnaround Option was selected for implementation in the 2009-10 school year if the school did not exit Intervene Status at the end of the 2008-09 year.

The Turnaround Option was implemented by the District during 2009-10 and again for 2010-11, but the school has not yet met the criteria to exit Intervene status.

Based on the pending outcome of FCAT and AYP, if Larkdale Elementary School has still not met the required criteria, a different option must be selected. The option selected by the District and approved by the State Board of Education to rectify Larkdale Elementary School's status is to "Reassign Students to Another School and Monitor Progress". Under this option, Broward County Public Schools has been approved to close the school and open two new schools (a primary school and an intermediate school). Implementation of this option requires an amendment to the State Educational Plant Survey. To submit an amendment to the State Educational Plant Survey (Spot Survey), prior School Board approval is required.

Approved in Open Board Meeting, July 22, 2011

The Spot Survey will only be submitted for approval if the Intervene Plan must be implemented for the 2011/12 school year. Therefore, it is recommended that the School Board approve the amendment to the State Educational Plant Survey.

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

Mrs. Rupert requested an update on this item.

Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support Services, stated that the raw scores have been received and they must be matched to all the student-per-student files and review how each student has done. Currently, Larkdale has made nice progress. Until that process has been reviewed, every student is matched and every file is reviewed, a final update cannot be given. She stated it is hopeful to have a final update within a week.

J-4. Reappointment of School District Representative to the Oversight Committee (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the reappointment of Roy Rogers as School Board Representative to the Oversight Committee for the Implementation of the Amended Interlocal Agreement for Public School Facility Planning, to comply with the provisions of the Amended Interlocal Agreement. Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

The Amended Interlocal Agreement for the Implementation of Public School Facility Planning (ILA) addresses the coordination of growth management issues and the provision and availability of public school facilities in Broward County. In compliance with state law, the current Amended ILA is between The School Board of Broward County, Florida, Broward County, and 27 Broward County Municipalities. The Amended ILA is overseen by a 15 member Oversight Committee (OC), five each appointed by the School Board, the Broward County Commission, and the 27 Municipalities.

Section 1, Article II-Membership, of the Oversight Committee By-Laws, states that "Each appointing body shall appoint/reappoint their members for two (2) year terms. Each member's two (2) year term shall begin on the date of their official appointment by their appointing body".

Approved in Open Board Meeting, July 22, 2011

Mr. Rogers was initially appointed to the Committee by the School Board on June 21, 2005, and subsequently reappointed on June 19, 2007, and June 16, 2009, as one of the current five School Board Representatives on the Committee. As such, his term on the Committee will expire on June 16, 2011. Mr. Rogers has indicated that he would like to continue to serve as a School Board Representative on the Committee. Therefore, staff recommends that Mr. Rogers be reappointed to the Oversight Committee.

There is no financial impact to the school district. However, the Amended Interlocal Agreement requires the Superintendent to organize and staff the meetings of the Oversight Committee. This item does not require a collaboration form from the Capital Budget Department.

Mrs. Good inquired about the protocol for these types of committees to advertise to allow for additional input and make a selection.

Ms. Shelley Meloni, Director, Project Management, Planning and Design, responded that staff has no input with respect to who is appointed and it is up to the Superintendent to make this determination.

Mrs. Good stated it is important that the district allow opportunities for other individuals to seek such appointments to various committees.

Mrs. Rupert stated she would like to see the establishment of a tenure or a term limit rule on committees.

Ms. Dinnen concurred that process is something the Board needs to pay attention to, have a more formalized procedure in the future. She stated that Mr. Rogers is an individual who has been intimately involved with growth management in the county for 30 to 40 years and knows the intricacies. Ms. Dinnen stated that this type of background and experience should be taken into consideration when appointments are made to a committee of this nature.

Mr. Notter stated that a review will be made as to how the Board organizes and governs, and how this may align with the Organizational meeting in November.

*J-5. Grant of Utility Easement to Florida Power and Light (FP&L) at Fox Trail Elementary School (Approved)

Approved the grant of a Utility Easement to FP&L to relocate equipment at Fox Trail Elementary School.

Approved in Open Board Meeting, July 22, 2011

The proposed 3.8 foot utility easement is required by FP&L to relocate the auto-transformer previously located within the twenty-five (25) foot easement along the northern boundary of Fox Trail Elementary School that was recently acquired via eminent domain by the Florida Department of Transportation (FDOT) via an Order of Taking.

This critical piece of equipment is to bolster service reliability in the entire area around Fox Trail Elementary School.

The Easement has been reviewed and approved as to form and legal content by 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.

- J-6. Approve Interlocal Agreement between The School Board of Broward County, Florida, and Broward County – Install 10KW Photovoltaic System at New Renaissance Middle School, Miramar – Project No. P.001416 (f.k.a. 3911P001416) (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the Interlocal Agreement between The School Board of Broward County, Florida, and Broward County to install a 10KW Photovoltaic System at New Renaissance Middle School, Miramar, Project No. P.001416 (f.k.a. 3911P001416). (9-0 vote)

This Interlocal Agreement supports the Broward County Environmental Protection and Growth Management Department's Energy Efficiency and Conservation Block Grant by developing a solar energy system at New Renaissance Middle School.

This agreement includes an initial cost to the District in the amount of \$97,400 to construct a Photovoltaic System to be located at New Renaissance Middle School. Such cost shall be reimbursed by Broward County on a quarterly basis throughout the duration of the project.

The agreement also requires in-kind professional services from District staff during the construction period valued at \$12,355, and requires that \$28,000 worth of native trees be installed as part of other ADEFP-funded projects throughout the District. Such other projects shall support the urban reforestation project within the larger grant. The in-kind participation and native trees have no financial impact to the District, and the cost to construct the Photovoltaic System shall be reimbursed by the County.

This agreement has been approved as to form and legal content by The Office of the School Board Attorney.

Approved in Open Board Meeting, July 22, 2011

There is no financial impact to the district. All expenditures are reimbursed or are “sunk” costs (such as existing staff time or trees already budgeted within other funded projects).

Mrs. Good requested an overview and understanding for the benefit of the public.

Ms. Meloni informed that the item does not have a financial impact and all expenses will be reimbursed; the \$97,400 initial cost will go towards the purchase of a Photovoltaic System that will eventually be reimbursed to the district. Other costs to the project are staff costs, which is overseeing the project and is a normal routine, and there is \$20,000 for trees that will be taken from other existing projects so there will not be any added costs. Ms. Meloni stated that the tree aspect is a mitigation that the district practices district-wide.

Ms. Meloni concurred that the Photovoltaic System will be utilized as an educational component at the school; they will be able to view demonstrations that show the benefit to the district using this type of device.

Mrs. Rupert praised the project and thanked the county for working with the district, as it is a great opportunity for students.

The following individual addressed this item:

Mary Fertig

- *J-7. 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 May 25, 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:

Advanced Roofing, Inc. (General) – Issue Pre-qualification Re-Certification

Advanced Roofing, Inc. (Roofing) – Issue Pre-qualification Re-Certification

Advanced Roofing, Inc. (Air Conditioning) – Issue Pre-qualification Re-Certification

CSR Heavy Construction, Inc. – Issue Pre-qualification Re-Certification

Approved in Open Board Meeting, July 22, 2011

**Florida Electric Contracting Service, Inc. – Issue Pre-qualification Certification
**Francis Engineering, Inc. – Issue Pre-qualification Certification
**FXP Corp. – Issue Recommendation to Approve Appeal to Re-Certify GPE Engineering & General Contractor Corp. dba Gonzalez Pavement Equip., Inc. – Issue Recommendation to Not Certify
Intercounty Engineering Inc. – Issue Recommendation to Not Certify
Intranet Communications Group, Inc. – Issue Pre-qualification Re-Certification
KM/Plaza - Issue Recommendation to Approve Appeal to Re-Certify
**Thornton Construction Company, Inc. – Issue Pre-qualification Re-Certification
**Tropic Fence, Inc. – Issue Pre-qualification Certification
Williams Paving Co., Inc. – Issue Recommendation to Not Certify

*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.

Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$18,500,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2010-11. Budgeted for fiscal year 2011-12 is \$9,893,000 and for fiscal year 2012-13 is \$14,000,000.

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-8. First Amendment to Reciprocal Use Agreement with the City of Cooper City and The School Board of Broward County, Florida (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Good and carried, to approve First Amendment to the Reciprocal Use Agreement with the City of Cooper City and The School Board of Broward County, Florida. Ms. Dinnen was absent for the vote. (8-0 vote)

Approved in Open Board Meeting, July 22, 2011

At the May 20, 2011 Board Workshop, staff presented information regarding requests from several municipalities to revisit the Reciprocal Use Agreement. These requests were primarily in response to increasing facility rental costs, resulting from the implementation of the 4-Day Summer Work Week.

Staff is recommending this First Amendment in order to clarify the District's position regarding the use of District-owned facilities during non-operational times. Specifically, it is the intent of the District to only seek reimbursement for costs that SBBC would not have incurred except for the use of District-owned facilities by a municipality. Additionally, the amendment seeks to provide flexibility to work collaboratively with the municipalities in an effort to identify strategies to mitigate such costs without financially impacting the District. Staff believes this recommended amendment is consistent with the discussion at the May 20th Board Workshop.

The City will execute this agreement after School Board approval.

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

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

Ms. Murray stated this is an opportune time to reflect on a partnership coming together for a common cause, for the benefit of children.

Mrs. Rich Levinson complimented how well staff worked with the city to work out the solution. She suggested reviewing all reciprocal use agreements and make sure that all the cities have the same opportunities as outlined in this amendment.

Concurring, Mrs. Good stated this is a win-win cost neutral to the district, and this will provide opportunities for the community and students. Mrs. Good further stated that staff has indicated they have begun reviewing all the agreements.

K. OFFICE OF CHIEF FINANCIAL OFFICER

OPEN ITEMS

AA. RESOLUTIONS

Approved in Open Board Meeting, July 22, 2011

BB. BOARD MEMBERS

- BB-1. Employment Agreement between The School Board of Broward County, Florida and J. Paul Carland, II (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve the Employment Agreement between The School Board of Broward County, Florida and J. Paul Carland, II, as General Counsel. Mrs. Gottlieb was absent for the vote. (8-0 vote)

At its Special School Board meeting on December 14, 2010, The School Board approved the Release for Letter of Interest (RLI) for General Counsel Services ("Second RLI"). Twenty-six applicants timely responded to the Second RLI. Fifteen of the candidates met the minimum qualifications and were independently screened and scored by a three-member Screening Committee.

At the March 8, 2011, Special School Board Meeting, The School Board approved the interview and selection process for the General Counsel position, which included interviewing the top nine scoring candidates and to select three to four finalists to return for a more extensive interview with The School Board on April 25, 2011.

In accordance with the approved interview and selection process, The School Board interviewed the top nine scoring candidates. Based upon these interviews, School Board members selected three finalists to return April 25, 2011 for a more extensive interview.

At its Special School Board meeting conducted on April 25, 2011, The School Board selected J. Paul Carland, II, Esq., for the position of General Counsel and authorized the Chair to conduct contract negotiations with Mr. Carland on its behalf.

With the assistance of Christopher F. Kurtz, Esq., at no cost to the District, the Chair conducted contract negotiations with Mr. Carland on May 16, 2011. The Employment Agreement represents the terms and conditions attained through negotiation, and is recommended by the Chair for School Board approval.

The financial impact of this item is \$240,440 (including fringe). The source of funding is already included in the General Counsel department budget. There is no additional financial impact to the district.

Mr. Williams expressed gratitude to Mr. Kurtz, Labor Attorney for Miami-Dade County Public Schools, for working with the Broward School Board on this process.

Approved in Open Board Meeting, July 22, 2011

Mrs. Bartleman thanked Mrs. Batista-McNamara for doing a great job while serving as Interim General Counsel.

Mrs. Rich Levinson inquired whether Mr. Carland's transfer of sick leave time from Hernando County to Broward County is a traditional occurrence.

Mr. Kurtz responded that it is not uncommon for individual employees to transfer sick leave from one school district to another. The statute under sick leave is implied that it can be accrued and taken somewhere else, at the discretion of the incoming employer. Mr. Kurtz stated it is not uncommon throughout the state.

Following the vote on the item, Mrs. Good stated that she has worked with Mr. Kurtz in the past and his professionalism speaks volumes. She stated it is hopeful that in the future services can be conducted between districts, helping each other in a manner that is cost neutral.

CC. BOARD POLICIES

CC-1. Policy 6000.1: Student Progression Plan (Adopted)

Motion was made by Mrs. Bartleman, seconded by Mrs. Gottlieb and carried, to adopt revisions to Policy 6000.1: Student Progression Plan, at this final reading. Ms. Murray and Mrs. Rupert were absent for the vote. (7-0 vote)

The District's Policy 6000.1 Work Group, convened subcommittees to address issues and formulate proposed changes to the District's Student Progression Plan for 2010-11. A broad representation of District and school-based staff, along with parents and students participated on the following five subcommittees: Graduation Requirements – Adult Standard Diploma; Progress Monitoring Plan (PMP); Elementary Promotion Criteria; Uniform Transfer of Students; and Exam Exemption. The recommendations were vetted throughout the District.

Participants in the vetting process included District Administrative staff, elementary, middle and high school principals, District Advisory Council, ESE Advisory Council, ESOL Leadership Council, Area Advisory groups and Student Advisors to the School Board.

Following the vetting process, staff representing the Policy 6000.1 Work Group, provided Board Members with recommended changes at a Board Workshop on February 22, 2011. As a result of Board input, those recommended changes are reflected in the Policy 6000.1 revisions.

Approved in Open Board Meeting, July 22, 2011

A Policy 6000.1 subcommittee, is being convened specifically to address exam exemptions and will include District administrators, high school principals and assistant principals, teachers, students and parents. Recommendations from this subcommittee will be brought to the Policy 6000.1 Work Group, and to a Board Workshop, as requested. The Chart of Substantive Changes addresses the changes that are being recommended.

There is no financial impact to the district.

Mrs. Rich Levinson stated that at first reading the two options for physical education were included and she understood that students could choose one of the two options. She inquired what is meant by schools may choose one of the two options.

Dr. Leontine Butler, Deputy Superintendent, Curriculum, responded that the schools can choose and then placed on the master schedule for students to choose Option 1 or Option 2. Dr. Butler stated that the schools choose the option based on teacher availability and certification.

Mrs. Rich Levinson said she understood that students could have the option; they can take P.E. anytime within the four years before they graduate.

Ms. Laura Cohen, Coordinator, Guidance, BRACE and Academics, stated that the schools choose the option and students have alternatives, such as the Florida Virtual, if they would like to do it differently than what the school is offering.

Mrs. Rich Levinson stated she understood that some of the schools will be mandating that they have to take Hope in 9th grade.

Ms. Cohen responded, not according to policy.

Mrs. Rich Levinson inquired about the calculation method, whether it is 30 percent of the second half of the year's grade. She stated that the student has received a grade on their report card for the previous semester.

Ms. Cohen responded that students who are taking the first year of the End of Course (EOC) for Algebra are getting one full credit; they have not been issued the ½ credit for the first part of the year, the ½ credit has been held in abeyance. At the end of the full year, the students will get a fully calculated grade based upon 35 percent first semester, 35 percent second semester, and 30 percent EOC.

Approved in Open Board Meeting, July 22, 2011

Ms. Cohen explained that they received a grade, but they did not receive credit. She stated this is one piece of a three-piece puzzle and until there is the entire three pieces of the puzzle, they do not receive a final full credit grade, including that EOC.

CC-2. Policy 4002.10 – Nepotism/Employment and Assignment of Relatives
(Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to adopt new School Board Policy 4002.10 – Nepotism/Employment and Assignment of Relatives, at this final reading. Ms. Murray and Mrs. Rupert were absent for the vote. (7-0 vote)

The Ethics Commission findings included a recommendation for the establishment of a Nepotism Policy. Currently, in Policy 4002 Hiring Procedures and Security Background/Screening and Photo Identification Badge Requirements, Page 4, #14-Employment of Relatives, we have language precluding employees from supervising a relative. This new policy expands the requirements and provides processes for handling occurrences of nepotism.

Policy 4002.10 – Nepotism/Employment and Assignment of Relatives was reviewed and approved at the February 2, 2011 Policy Review Committee meeting, and presented to the School Board for their review at the February 8, 2011, School Board Workshop. The first reading of this policy was approved by the School Board at the May 3, 2011, School Board Meeting.

There is no financial impact to the district.

No discussion was held on this item.

CC-3. Policy 5010: SBBC Policy Against Student Dating Violence or Abuse
(Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve Student Dating Violence or Abuse, Policy 5010, at this first reading. Ms. Murray and Mrs. Rupert were absent for the vote. (7-0 vote)

In the 2010 Legislative Session, Florida's legislature passed and former Governor Crist signed into law, the creation of Section 1006.148, F.S., effective July 1, 2010, related to teen dating violence and abuse. Included within this new section are school board requirements for the development, adoption, and implementation of a policy preventing teen dating violence and abuse, as well as requirements for providing training for teachers, staff, and school administrators to implement the policy.

Approved in Open Board Meeting, July 22, 2011

This policy has been reviewed and approved as to form and content by the School Board Attorney and was reviewed by the Policy Review Committee on May 18, 2011.

This policy is being proposed for the 2011-12 school year.

There is no financial impact to the district.

Mrs. Rich Levinson indicated that District Advisory Chair Jeanne Jusevic alluded in a DAC report that she would have liked time to loop a dating violence policy, as this issue affects parents and students directly.

Ms. Kathrine Frances, Director, Student Support Services and ESE, informed that she spoke with Mrs. Jusevic and addressed this issue. Ms. Frances stated that the policy came through the process that was in place in the district, but it went through the Policy Review Committee and was recommended and put into place on March 7, 2011. Both the policy and the procedural manual was present through Policy Review; after it went to the Legal department, the policy went through a second Policy Review Committee.

Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support Services, informed that she spoke with Mrs. Jusevic regarding the new process for next year and recommendations to take into consideration. Dr. Harrison stated that some modifications can be made in the future for notification.

Mrs. Rich Levinson referred to page 2, III. Expectations, C., and inquired whether the Student Code of Conduct, Discipline Matrix and the policy are in alignment and have the same prevention and intervention steps.

Mr. Amalio Nieves, Grant Director Title IV Coordinator, responded that when looking at dating violence it is not viewed as the specific incident, it looks at the discipline matrix to ascertain what is determined for the infraction or consequence.

Mrs. Rich Levinson requested a Workshop discussion regarding the discipline matrix, stating that she was informed that the discipline matrix can be used to further a policy, to supersede a policy, with which she disagrees.

Concurring, Dr. Harrison stated that policy is policy. This was aligned to make sure there was consistencies, looking at different types of infractions that could occur and seeing that there would be consistency across every school.

Approved in Open Board Meeting, July 22, 2011

Remarking that dating violence should be inserted in Policy 6001, Mrs. Bartleman stated that Policy 6001 is clear that all curricula is delineated as to what is needed. Mrs. Bartleman stated this is an important and worthwhile program to have.

Dr. Harrison stated that this policy must be passed prior to inserting the dating violence language to Policy 6001.

Mrs. Good inquired whether there is not sufficient time to loop the policy because of the upcoming school year.

Dr. Harrison responded that the Legislature indicated that school districts had to put this policy in place this year. The information in the policy was generated from the Legislature as compared to the district generating it, and the guidelines were followed.

DD. OFFICE OF THE CHIEF AUDITOR

DD-1. Audit of the Internal Funds of Selected Schools in the North, Central and South Areas (Received)

Motion was made by Mrs. Good, seconded by Ms. Dinnen and carried, to receive Audit of the Internal Funds of Selected Schools in the North, Central and South Areas. Ms. Murray and Mrs. Rupert were absent for the vote. (7-0 vote)

Audited the Internal Funds of the schools listed below for the fiscal years ended June 30, 2010 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Board Policy 1002.1.

*Charles Drew Elementary School, *Heron Heights Elementary School, *Lyons Creek Middle School, *Park Springs Elementary School, *Park Trails Elementary School, Sawgrass Springs Middle School, *Tradewinds Elementary School, Boyd Anderson High School, *Broadview Elementary School, *Castle Hill Elementary School, Dave Thomas Education Center, Dillard High School, *Endeavour Primary Learning Center, *Fort Lauderdale High School, *Indian Ridge Middle School, *Park Lakes Elementary School, *Pine Ridge Alternative Center, *Plantation Middle School, *Seagull Alternative High School, *Silver Ridge Elementary School, *Tequesta Trace Middle School, *Westpine Middle School, *Wilton Manors Elementary School, *Virginia S. Young Elementary School, *Fairway Elementary School, Miramar High School, *Nova Blanche Forman Elementary School.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 5, 2011 meeting.

Approved in Open Board Meeting, July 22, 2011

*Denotes Schools With No Audit Exceptions

The source of funds to perform the Internal Audit Reports was the General Fund budget allocation for the Office of the Chief Auditor. There is no additional financial impact to the school district.

No discussion was held on this item.

DD-2. Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2010-2011 (Received)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to receive Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2010-2011. Ms. Murray and Mrs. Rupert were absent for the vote. (7-0 vote)

Property and Inventory Audits of Selected Locations were performed, as authorized by the Florida Statute 274.02(2), School Board Policy 1002.1 and School Board Policy 3204.

The Audit report represents 29 locations in which a total of 25 locations had no exceptions and 4 locations had exceptions.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 5, 2011 meeting.

The source of funds to perform the Internal Property Audit Reports was the General Fund budget allocation for the Office of the Chief Auditor. There is no additional financial impact to the school district.

No discussion was held on this item.

EE. CHIEF OPERATIONS OFFICER

EE-1. Transportation Agreement for the City of Miramar (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Gottlieb and carried, to approve renewal of agreement between The School Board of Broward County, Florida, and the City of Miramar to provide school bus transportation for recreational programs for the period of one year. Ms. Murray and Mrs. Rupert were absent for the vote. (7-0 vote)

Approved in Open Board Meeting, July 22, 2011

The transportation agreement allows the City of Miramar to utilize District school buses for city sponsored recreation programs and events that are dependent on transportation. The city recreation programs provide activities and supervision for many District students during the summer and other days when school is not in session. City sponsored recreation programs provide a valuable service to their respective communities.

The transportation service will be provided during the times school buses are not being utilized for service to Broward County Public Schools. The City of Miramar will reimburse the District for the cost of this service.

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

The City of Miramar will reimburse the district for the cost of this service as invoiced.

No discussion was held on this item.

EE-2. RFP Recommendations \$500,000 or Greater (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve this RFP recommendation as stated on the award recommendations. Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (6-0 vote)

<u>RFP</u>	<u>Title – Location – Amount</u>
12-001N	Speech-Language Pathology and Audiology Services – Various – Amount: \$4,500,000

Board approval of this RFP recommendation does not mean the amount shown will be spent. This amount represents the estimated contract value and may be spread among the awarded vendors through the term of this contract from available funds already included in various school/department/center budgets.

The estimated value for this is \$4,500,000 over a five-year period. All expenditures for this contract will come from existing approved school and department budgets. IDEA Grant helps to pay for part of these services. Staff will provide a report to the School Board semi-annually detailing expenditures by contract.

Mrs. Rich Levinson inquired how the amount is distributed through the various vendors.

Approved in Open Board Meeting, July 22, 2011

Mrs. Denise Rusnak, Director, Exceptional Student Education, responded that the list of vendors is reviewed to see who has the lower rate and can meet the district's needs. Mrs. Rusnak stated that not all vendors have speech individuals who are qualified to work with children with disabilities. Staff contacts them and the vendor will let the district know whether they can supply an individual. Vendors have five days to respond and if they do not respond within the five days another vendor is called.

FF. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

FF-1. Amendment to the Continuation Contract of the Florida First Start Program with the Early Learning Coalition of Broward County, Inc.

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve the amendment to contract SBBC-FFS-11-ELC6. **Revisions were made to pages 3 and 4 of Attachment 5.** Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

The contract amendment from the Early Learning Coalition (ELC) of Broward County, Inc., will decrease the total contracted amount by \$4,594 from \$504,790 to \$500,196 due to salary adjustments. The original contract (SBBC-FFS-11-ELC6), was approved by The School Board of Broward County, Florida, on May 18, 2010.

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

The ELC will sign this contract following The School Board approval. The financial impact to the district is \$4,594. The source of funds is the ELC Grant. There is no additional financial impact to the district.

Mrs. Good inquired about the program requirements and how it is being funded.

Mrs. Sayra Hughes, Executive Director, Early Learning, ESOL and CTACE, informed that Early Learning Coalition is the funding agent to fund Florida First Start, now in the 10th year that the grant is being funded for these services. Mrs. Hughes stated that one of the services provided through the grant is the Parents as Teachers curriculum which requires some extensive professional development for teachers. The travel is a requirement of the grant because the district is funding parents as teachers.

Approved in Open Board Meeting, July 22, 2011

FF-2. Student Enrichment in the Arts (SEAS) (Approved)

Motion was made Ms. Dinnen, seconded by Mrs. Good and carried, to approve the 2011-2012 SEAS program at schools and at the Broward Center for the Performing Arts. Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

Since 1991, The School Board of Broward County, Florida, in partnership with the Broward Center for the Performing Arts, has presented the national award-winning Student Enrichment in the Arts (SEAS) program. The SEAS program continues to offer a unique style of learning by integrating theatrical performances in dance, music and drama into the student's education. Each and every performance includes a study guide that links the performance to FCAT standards. Approximately 259 performances benefiting 110,000 students will take place in theaters and at schools during the 2011-2012 school year.

What makes the SEAS program truly unique is its commitment to providing educational and artistic opportunities to all students free of charge. Regardless of socio-economic standing, the SEAS program is open and available to all schools, teachers and students. There is no admission charge for SEAS shows. The SEAS program ensures that students have the opportunity to become appreciators and producers of the arts. This year's programming includes shows depicting diverse cultures and countries and regions including Mexico, El Salvador, India, Africa, Latin America, China, Brazil and Europe.

(See eAgenda for continuation of Summary Explanation and Background.)

The total financial impact of this item is \$310,336. The source of funds is the Student Enrichment Trust Fund. There is no financial impact to the district's general fund.

Mrs. Rich Levinson inquired how much money is remaining in the Student Enrichment Trust Fund, and how are schools and students chosen to attend this program.

Mr. Damian Huttenhoff, Director, Athletics and Student Support, responded that this is the second year the district has utilized trust funds. After \$310,336 is deducted, the remaining balance will be approximately \$1.6 million.

Mr. Huttenhoff informed that staff goes out with a directory of program and it is left up to the schools to decide. The program is available the first week of school, or before school is in session, so they can begin their planning process. Mr. Huttenhoff stated that the goal is for every school to have the opportunity to apply.

Approved in Open Board Meeting, July 22, 2011

Mrs. Rich Levinson inquired how the All County Band, Chorus and Orchestra is included as part of the program at the Coral Springs Center for the Arts.

Mr. Huttenhoff responded that the Coral Springs Center (1,200 seats) is the host site for the All County Band and Orchestra, primarily for the stage size. The Amaturio Theater (550 seats) is not large enough for the bands to perform there. The program is made a part of the SEAS program; the district will provide transportation of the students and the Curriculum department will pay for the lease agreements for the Coral Springs Center.

Mrs. Good inquired whether the district pays only 50 percent of the transportation costs.

Mr. Huttenhoff responded affirmatively.

FF-3. Contract with The Institute for Mathematics and Computer Science (IMACS) for Science and Math Programs and Instructional Materials
(Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve contract with IMACS for science and math online curriculum, instructional materials, and teacher training / support for 31 Title One Middle Schools including: Apollo Middle; Ashe, Arthur R. Jr. Middle; Attucks Middle; Bair Middle; Crystal Lake Middle; William Dandy Middle; Deerfield Beach Middle; Driftwood Middle; Forest Glen Middle; Gulfstream Middle; Lauderdale Lakes Middle; Lauderdale Middle; Lyons Creek Middle; Margate Middle; McNicol Middle; Millennium Middle; New Renaissance Middle; New River Middle; Nova Middle; Olsen Middle; Parkway Middle; Perry, Henry D Middle; Pines Middle; Plantation Middle; Pompano Beach Middle; Ramblewood Middle; Rickards, James S; Sunrise Middle; Westpine Middle; Seminole Middle; Silver Lakes Middle. Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

The IMACS curriculum will provide students with virtual math and science labs that are interactive and designed to improve student achievement. The labs align with the instructional focus calendars and Next Generation Sunshine State Standards. The contract will include 36 new virtual laboratory modules for teachers and students utilizing the labs for a period of 5 years.

Approved in Open Board Meeting, July 22, 2011

This contract also provides a specialist from IMACS to mentor science teachers in virtual lab settings for one year for all 31 Title I schools. The IMACS program supports teachers funded through Title I STEM initiative as well as student achievement through technology, engineering and science training with hands on, as well as virtual science labs. This program increases participation and support from 16 Title schools in 2010-11 to all 31 Title Middle Schools for the 2011-12 school year.

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

\$460,000 for IMACS Virtual Site License for five years as well as instructional materials, and teacher training for the 2011-12 school year increasing all services from just 16 Title I schools to all 31 Title I middle schools. This initiative is part of the two year Title I STEM ARRA plan. Title I ARRA stimulus dollars which must be spent by September 30, 2011 will be used. There is no additional financial impact to the District.

Mrs. Rich Levinson stated she was familiar with the Math portion of the program and is excited that the program is being offered at all Title I schools because it teaches students amazing critical thinking skills. Mrs. Rich Levinson inquired about programming for the non-Title I schools.

Dr. Harrison responded that Title I has to be used above what the district is doing; it is not done across at every school because it must be above and beyond what the core curriculum or the core programs are. Remarking that this was part of the initiative, Dr. Harrison stated that as science grades come in for the middle schools there will be a review of the direct correlation with the interventions that are being placed. The other schools' curriculum would be providing support and assisting with providing other opportunities. She noted that last year, some of the schools that did not have this program chose to use some of their internal funds and staff assisted in coordinating that with them.

Mrs. Rich Levinson inquired whether the problems with uploading the program and the site-based internet been resolved.

Mrs. Leslie Brown, Executive Director, Educational Programs, responded that the facilitator working on the project had to clean some of the laptops and computers.

Approved in Open Board Meeting, July 22, 2011

FF-4. Grant Applications (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve the submission of grant applications to: Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

- A. Achieving Excellence in Education Grants, \$1,000
- B. Fuel Up to Play 60 Grant, \$3,000
- C. Home Depot Building Healthy Communities Grant, \$1,700
- D. ING Unsung Heroes Award, \$6,000
- E. Lowe's Toolbox for Education, \$4,996
- F. Motorola Foundation - Innovation Generation Grant, \$50,000
- G. Ready by 21, Credentialed by 26 Challenge!, \$5,000
- H. Salary Assistance Program for Japanese - Language Courses, \$61,197
- I. Target Community Giving Grants Program, \$6,000
- J. University of Florida IFAS Extension School Garden Competition, \$500

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 \$139,393 from various sources. There is no additional financial impact to the school district.

Mrs. Rich Levinson said she was pleased with the grants coming to the district.

FF-5. Continuation Agreement with Broward Health for Athletic Trainer Services (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve Continuation Agreement with Broward Health to provide athletic trainer and physician services to student athletes attending twenty Broward County Public High Schools. The Agreement runs from August 7, 2011 through August 6, 2012. Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

The athletic trainer program between Broward Health and The School Board of Broward County, Florida, is consistent with the intent of Florida Statute 1012.46, Athletic Trainers. Pursuant to this provision, the goal of the Legislature is to have school districts employ and have available an athletic trainer in each high school.

Approved in Open Board Meeting, July 22, 2011

School districts may establish and implement the athletic injuries prevention and treatment program. Central to this program should be employment and availability of persons trained in the prevention and treatment of physical injuries that may occur during athletic activities.

There is no increase in financial costs to the school system for athletic trainer services in 2011-2012. The financial impact remains unchanged since the 2009-2010 fiscal year.

(See eAgenda for continuation of Summary Explanation and Background.)

The total financial impact for the 2011-12 school year is \$529,200. The source of funding is \$529,200 from the general fund restricted budget allocation for Broward Health trainers.

Mrs. Good stated that the information indicates that the district has been provided services by this entity for 19 years. She inquired whether the district has gone out for a bid process during this time.

Mr. Huttenhoff responded that the district has not bid medical services. Confirming that Broward Health charges the district, Mr. Huttenhoff stated that the district has two formal partnerships with Broward Health, the public entities and Broward Memorial; covering the south and north area of the county for health care services.

Mrs. Good inquired whether there is a specified amount that the partnerships charge the district. Mrs. Good said she does not have the comfort level that this is the only entity that can provide that service.

Mr. Huttenhoff responded that the amount is negotiated on a yearly basis. He stated these are the two entities to provide these types of services, to provide the comprehensive athletic trainer services for 20 schools.

Mrs. Good suggested reaching out to another provider who is willing to provide this service, if they are aware of it.

Mr. Huttenhoff responded that there is no other hospital district other than the two hospital districts. He stated that Broward Memorial only services a specific area and the providers cannot cross over; they are separate and distinct.

Mrs. Rich Levinson inquired why Broward Health is approximately \$4,000 more than Memorial Hospital.

Approved in Open Board Meeting, July 22, 2011

Mr. Huttenhoff responded that the amount was negotiated with Broward Memorial because FIU was paid a lower rate. Negotiations commenced with Broward Memorial with the idea of keeping the district's rates as low as possible. Mr. Huttenhoff stated that the district has been successful in keeping costs contained.

FF-6. Agreements with Community Mental Health Providers (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve the agreements with (2) community mental health providers. Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

These agreements are renewed on an annual basis and have been in existence for over 15 years.

The agreements provide for the provision of required educational services to youth participating in residential and non-residential treatment programs operated by Citrus Health Network, Inc., and Alternate Educational Systems, Inc. These Agencies serve students in residential and non-residential treatment programs who are not able to attend a school operated by the School District. The educational curriculum is provided by the School District and is integrated into the therapeutic services of the program. Referrals to the program come from the Department of Children & Families, the courts, parents, medical facilities and physicians. Each provider uses the state definition of medical necessity as a guide to determine individual treatment and education plans and length of stay at each site.

These agreements have been reviewed and approved, as to form and legal content, by the School Board Attorney. All costs incurred are generated and funded through student FTE. The generated FTE is approximately \$465,000 per year. There is no additional financial impact to the District beyond the FTE.

Mrs. Rich Levinson inquired how many students are being served.

Ms. Francis responded that there are 32 at the Alternate Educational Systems site, which is the Alternate through Sunset Elementary and there are 73 at Citrus, which goes through Whispering Pine Elementary. She stated this is for the severely emotionally disturbed group of students. There are mental health services, residential facility and non-residential.

Mrs. Good inquired whether this is the only vendor.

Approved in Open Board Meeting, July 22, 2011

Responding affirmatively, Ms. Francis stated that the service providers have to meet the criteria. She said that DCF places students and they work with these companies or private entity; they have to meet the hospital/homebound criteria which is done by DOE. Ms. Francis further stated if they meet that eligibility, this is where they are serviced, in Broward County these two provide the services and they meet the eligibility. The district does not have a choice, the district has to service them wherever DCF places those students. DCF places most of these students and some are privately placed.

GG. HUMAN RESOURCES

HH. ATTORNEY

HH-1. Settlement Agreement between The School Board of Broward County, Florida, and Perkins & Will Southeast, Inc. (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Gottlieb and carried, to approve the Settlement Agreement between The School Board of Broward County, Florida and Perkins & Will Southeast, Inc. Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

The School Board of Broward County, Florida ("SBBC") entered into a Professional Services Agreement, dated April 12, 1999, with Perkins & Will Southeast, Inc., ("P&W"), for the design of a new 10,489 sq. ft. administrative building (Building No. 1); a two-story 42,383 sq. ft. classroom building (Building No. 3); and a 21,981 sq. ft. multi-purpose building and cafetorium (Building No. 2), at McNab Elementary School.

SBBC asserted monetary claims for delays and damages arising from errors and omissions in the design and administration of renovations and filed suit against P&W, styled The School Board of Broward County, Florida v. Perkins & Will Southeast, Inc., Case No. 08-033508 CACE (25), Broward County Circuit Court.

As a result of negotiation between the parties, and subject to Board approval of the Settlement Agreement, P&W has agreed to pay the sum of Seven Hundred Eighty Thousand Dollars (\$780,000), which constitutes the remaining value on the insurance policy, to SBBC in full and final settlement of the lawsuit in accordance with the attached Settlement Agreement.

District staff, the School Board Attorney's Office and The School Board's cadre counsel, F. Malcolm Cunningham, Jr., Esq., recommend approval of the Settlement Agreement as a reasonable cost-effective resolution to the lawsuit, which will eliminate protracted litigation and additional costs.

Approved in Open Board Meeting, July 22, 2011

There is a positive financial impact to the district in the amount of Seven Hundred Eighty Thousand Dollars (\$780,000).

No discussion was held on this item.

- HH-2. Proposed Stipulated Final Judgment and Joint Motion for Entry of Stipulated Final Judgment as to Parcel 1 in the Matter of The School Board of Broward County, Florida v. The Circle One Condominium Association, Inc., et al., Parcel 1, Case No. 03-4357 CACE (02)
(Approved)

Motion was made by Mrs. Gottlieb, seconded by Ms. Dinnen and carried, to authorize counsel to execute the Joint Motion for Entry of Stipulated Final Judgment as to Parcel 1, which settles the compensation phase as to Parcel 1, in the matter of The School Board of Broward County, Florida v. The Circle One Condominium Association, Inc., et al., Parcel 1, Case No. 03-4357 CACE (02). Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

Construction of Endeavor Primary Learning Center Elementary ("Endeavor") required the School Board to acquire two parcels of private property. Acquisition of Parcel 1, which is 0.8689 acre and was owned by Circle One Condominium Association ("Condominium Association"), was necessary to construct the driveway and entryway for Endeavor. The School Board acquired Parcel 1 and another parcel (Parcel 2) in 2003 through a "quick-take" eminent domain lawsuit. Acquisition of Parcel 1 destroyed a portion of the parking area owned by the Condominium Association, thereby rendering the Condominium Association's site plan out of compliance.

Through mediation held in March 2008, the School Board agreed to pay the sum of \$1,684,000 as full compensation for its acquisition of Parcels 1 and 2. Parcel 1 was owned by the Condominium Association, whereas Parcel 2 belonged to the Circle Property Owners Association, Inc. ("Property Owners Association"), a different entity.

Shortly after the parties executed the March 2008 mediation agreement, a dispute arose between the Condominium Association and the Property Owners Association regarding the division of the \$1,684,000 mediated settlement sum. In a subsequent mediation agreement entered in November 2010, the School Board reached an agreement with the Condominium Association apart from the Property Owners Association, whereby the School Board would pay \$1,541,000 for its acquisition of Parcel 1 only.

Approved in Open Board Meeting, July 22, 2011

District staff, the School Board Attorney's Office, and the School Board's cadre counsel, Mitchell J. Burnstein, Esq., recommend approval of this request to authorize cadre counsel to execute the Joint Motion for Entry of Stipulated Final Judgment as to Parcel 1 as a fair and reasonable cost-effective resolution which will eliminate protracted litigation and additional costs. The compensation phase of Parcel 2 would be resolved through negotiation or jury trial, which is presently scheduled for July 2011.

Having deposited \$308,500 into the registry of the Clerk of Court in May 2003, the financial impact to the District is \$1,232,500. Funding for this Judgment in the amount of \$1,232,500 will come from Legal & Contingency in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015.

No discussion was held on this item.

II. OFFICE OF THE SUPERINTENDENT

II-1. School Resource Officer (SRO) Program Agreement – (2010-2011) (Approved)

Motion was made by Mrs. Gottlieb, seconded by Ms. Dinnen and carried, to approve the SRO Agreement with the City of Fort Lauderdale for police officers to serve as School Resource Officers as listed in the Executive Summary. Mrs. Bartleman, Ms. Murray, Mrs. Rupert and Mr. Thomas were absent for the vote. (5-0 vote)

The Agreement provides for police officers to serve as School Resource Officers in four (4) middle, three (3) high schools and one (1) center that are operated by the School Board and located in the City of Fort Lauderdale. The School Resource Officer Program is one of the most effective, proactive safety and security programs in our schools. This cooperative partnership was initiated with the Broward Sheriff's Office dating back to the 1985-86 school year.

Now, in its twenty-sixth year, the SROs concentrate on preventative initiatives such as anti-drug and alcohol programs, conflict mediation and anti-violence, crime initiatives and Stranger Danger. In addition, these officers provide a positive presence and serve as role models for students of all ages, as well as liaisons between schools and law enforcement.

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

Approved in Open Board Meeting, July 22, 2011

The financial impact of the SRO Program for the City of Fort Lauderdale is \$301,512. The source of funds is the schools' budgets for the 2010-2011 school year.

No discussion was held on this item.

JJ. FACILITIES AND CONSTRUCTION MANAGEMENT

- JJ-1. Approve Contract Extension – Construction Services Minor Projects – Sprinklermatic Automatic Fire Sprinkler, Inc. – (Fire Sprinkler and Fire Suppression Services) – Various Locations – Bid No. 2007-08-FC
(Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the contract extension for Sprinklermatic Automatic Fire Sprinkler, Inc., Bid No. 2007-08-FC, Construction Services Minor Projects, "CSMP", Fire Sprinkler and Fire Suppression Services, Various Locations, for one additional year and increase the Contract Amount by \$2,000,000. (9-0 vote)

On June 17, 2008, The School Board of Broward County, Florida, approved the award of a contract to Sprinklermatic Automatic Fire Sprinkler, Inc., for CSMP, Fire Sprinkler and Fire Suppression Services, Item No. 6, for a contract period of three (3) years from the date of execution and a Contract Amount of \$3,000,000. In accordance with Article 10.02.01, The School Board of Broward County, Florida, may extend the term of the contract by one year and the Contract Amount by \$2,000,000. This item extends the contract term by one year and the Contract Amount by \$2,000,000 for Item #6 – Fire Sprinkler and Fire Suppression Services.

Sprinklermatic Automatic Fire Sprinkler, Inc., has been awarded \$1,604,264, in work and has performed the work in accordance with its contract. Staff is also in the process of awarding to Sprinklermatic Automatic Fire Sprinkler, Inc., a project estimated to cost \$872,000. Therefore, staff recommends the increase to the Contract Amount in order to award additional work when needed, as needed. Staff recommends extending the contract term by one year as a result of the limited number of pre-qualified Fire Sprinkler and Fire Suppression Services contractors available to bid this contract under a current procurement.

Approved in Open Board Meeting, July 22, 2011

Scope of Work:

The scope of this contract is for the provision of service and installation of fire-sprinkler and fire-suppression systems. Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$18,500,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2010-11. Budgeted for fiscal year 2011-12 is \$9,893,000, and for fiscal year 2012-13 is \$14,000,000.

The maximum financial impact is \$2,000,000. There is no financial impact at this time. Use of this contract is subject to the need and the availability of funds included in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015 for any projects needing this service. This item is not affecting the overall budget; therefore, it does not require a collaboration form from the Capital Budget Department.

No discussion was held on this item.

- JJ-2. Award of Contract – Construction Services Minor Projects – (Roofing Services –Item #1) – Various Locations – National Roofing of South Florida, Inc. – Tecta America South Florida, Inc. – Bid No. 2011-01-FC
(Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve the award of two (2) term construction contracts for Bid No. 2011-01-FC, Construction Services Minor Projects (Roofing Services – Item #1), Various Locations, to the low bidder (Main) and second low bidder (Alternate) meeting the bid specifications, National Roofing of South Florida, Inc. and Tecta America South Florida, Inc., in the Contract Amount of \$2,000,000 each. (9-0 vote)

Contractors: National Roofing of South Florida, Inc. (Main)
Tecta America South Florida, Inc. (Alternate)

Scope of Work:

The purpose of this Bid is to establish term contracts for procurement of roofing services with one main contractor and one alternate contractor, for various roofing projects up to \$199,999 each, as needed, when needed, to meet scheduled and unscheduled project needs as required. The contract term shall be for three (3) years in a cumulative amount not to exceed \$2,000,000 each, with an option to renew for one year and an additional \$400,000 each. In the event the main contractor fails to perform or otherwise cannot meet the project requirements as specified in Document 00410, Bid Form, staff may award projects to the alternate contractor.

Approved in Open Board Meeting, July 22, 2011

Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$18,500,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2010-11. Budgeted for fiscal year 2011-12 is \$9,893,000 and for fiscal year 2012-13 is \$14,000,000.

The maximum financial impact is \$4,000,000. There is no financial impact at this time. This agenda item does not commit any district funds, nor does it create a guarantee of any work for the Minor Projects – Roofing Services Contractors. This establishes purchasing authority only so that if there is a properly funded construction project that requires roofing services, these contractors can be used.

Since this item is not affecting the Capital Budget, it does not require a collaboration form from the Capital Budget Department.

Mrs. Good inquired whether there is a benefit to the district for entering into a three-year term.

Ms. Meloni responded that a three-year term is a typical time frame for a lot of the term contracts the district uses and staff has determined it is a reasonable amount of time to be able to proceed with work, start to finish. In addition, the term holds stable some of the price points that is used in bidding.

Remarking that there are not a lot of roofers that pre-qualify, Ms. Meloni stated that the roofer bid on the job, met the criteria, and they had the lowest bid factor.

Mrs. Good further inquired whether staff foresees a problem with regard to work orders, since the district has the same vendor for small and large projects.

Remarking that this would not be a problem, Ms. Meloni stated a similar situation occurred after Hurricane Wilma and three of the district's term contractors performed very well throughout the district to ensure the roofs were dried and sealed.

Approved in Open Board Meeting, July 22, 2011

JJ-3. Award of Contract – Construction Services Minor Projects – (Roofing Services – Item #2) – Various Locations – National Roofing of South Florida, Inc. – Advanced Roofing, Inc. – Bid No. 2011-01-FC (Approved)

Motion was made by Mrs. Murray, seconded by Mrs. Good and carried, to approve the award of two (2) term construction contracts for Bid No. 2011-01-FC, Construction Services Minor Projects (Roofing Services – Item #2), Various Locations, to the low bidder (Main), and second low bidder (Alternate), meeting the bid specifications, National Roofing of South Florida, Inc., and Advanced Roofing, Inc., in the Contract Amount \$10,000,000 each. Mrs. Good, Mrs. Rich Levinson and Mrs. Rupert voted “no.” (6-3 vote)

Contractors: National Roofing of South Florida, Inc. (Main)
Advanced Roofing, Inc. (Alternate)

Scope of Work:

The purpose of this Bid is to establish term contracts for procurement of roofing services with one main contractor and one alternate contractor, for various roofing projects up to \$1,000,000 each, as needed, when needed, to meet scheduled and unscheduled project needs as required. The contract term shall be for three (3) years in a cumulative amount not to exceed \$10,000,000 each, with an option to renew for one year and an additional \$2,000,000 each. In the event the main contractor fails to perform or otherwise cannot meet the project requirements as specified in Document 00410, Bid Form, staff may award projects to the alternate contractor.

Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$18,500,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2010-11. Budgeted for fiscal year 2011-12 is \$9,893,000 and for fiscal year 2012-13 is \$14,000,000.

The maximum financial impact is \$20,000,000. There is no financial impact at this time. This agenda item does not commit any district funds, nor does it create a guarantee of any work for the Minor Projects – Roofing Services Contractors. This establishes purchasing authority only so that if there is a properly funded construction project that requires roofing services, these contractors can be used. Since this item is not affecting the Capital Budget, it does not require a collaboration form from the Capital Budget Department.

Voicing concern that the term contract was not bid, Mrs. Rich Levinson inquired why million dollar projects are not bid as they are presented.

Approved in Open Board Meeting, July 22, 2011

Responding that the district is within statutory limits to use this type of contract, Ms. Meloni stated that although the roof is a sizeable roof, it is not to the extent of some of the larger schools. Projects of a larger scale will be bid because it would be outside the statutory limit. Ms. Meloni stated that the district is not obligated to proceed in this manner, it is an option, and a bid could be made. If the price comes in reasonable, this option would be followed.

Ms. Meloni further stated if there is a need to do a replacement within the contract amount, the contractor would prepare shop drawings and it is a quicker turn-around.

Mrs. Rich Levinson inquired how staff decides whether to proceed with this option or whether to individually bid the project. Mrs. Rich Levinson stated she would personally like to see some projects bid, if they are not in an emergency situation.

Ms. Meloni responded that staff would ascertain what the contractor's costs would be as the job is surveyed, and staff has a sense of what this would cost based on historical data based on cost estimating. She informed that typically in roofing projects staff prefers to proceed with this method; if a consultant is hired there is a fee to prepare drawings, and if the project is bid, the roofing contractor will also prepare shop drawings, which is permitted and is used for building. Ms. Meloni stated this is a better method and it is more economical in the long run, based on what the district has spent over the years on roofing projects.

Mrs. Good stated it would be helpful to get additional information as to the process and the methods utilized, so the Board has a comfort level.

JJ-4. Award of Contract – Construction Services Minor Projects – (Electric Services – Item #1) – Various Locations – Universal Electric of Florida, Inc. – C & F Electric, Inc. – Bid No. 2011-01-FC (Approved)

Motion was made by Mrs. Good, seconded by Ms. Dinnen and carried, to approve the award of two (2) term construction contracts for Bid No. 2011-01-FC, Construction Services Minor Projects (Electric Services – Item #1), Various Locations, to the low bidder (Main) and second low bidder (Alternate) meeting the bid specifications, Universal Electric of Florida, Inc., and C & F Electric, Inc., in the Contract Amount of \$2,000,000 each. (9-0 vote)

Contractors: Universal Electric of Florida, Inc. (Main)
C & F Electric, Inc. (Alternate)

Approved in Open Board Meeting, July 22, 2011

Scope of Work:

The purpose of this Bid is to establish term contracts for procurement of electric services with one main contractor and one alternate contractor, for various electric projects up to \$199,999 each, as needed, when needed, to meet scheduled and unscheduled project needs as required. The contract term shall be for three (3) years in a cumulative amount not to exceed \$2,000,000 each, with an option to renew for one year and an additional \$400,000 each. In the event the main contractor fails to perform or otherwise cannot meet the project requirements as specified in Document 00410, Bid Form, staff may award projects to the alternate contractor.

Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$18,500,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2010-11. Budgeted for fiscal year 2011-12 is \$9,893,000 and for fiscal year 2012-13 is \$14,000,000.

The maximum financial impact is \$4,000,000. There is no financial impact at this time. This agenda item does not commit any district funds, nor does it create a guarantee of any work for the Minor Projects – Electric Services Contractors. This establishes purchasing authority only so that if there is a properly funded construction project that requires electric services, these contractors can be used. Since this item is not affecting the Capital Budget, it does not require a collaboration form from the Capital Budget Department.

No discussion was held on this item.

- JJ-5. Award of Contract – Construction Services Minor Projects – (Electric Services – Item #2) – Various Locations – C & F Electric, Inc. – Bid No. 2011-01-FC (Postponed)

Motion was made by Ms. Murray, seconded by Mrs. Bartleman, to approve the recommendations in Exhibit 1 which include award of a term construction contract for Bid No. 2011-01-FC, Construction Services Minor Projects (Electric Services – Item #2), Various Locations, to the low bidder meeting the bid specifications, C & F Electric, Inc., in the Contract Amount of \$10,000,000 and a recommendation for the rejection of the proposal from Universal Electric of Florida, Inc. This motion was superseded by a Motion to Postpone (page 59). (9-0 vote)

Contractor: C & F Electric, Inc.

Approved in Open Board Meeting, July 22, 2011

Rejection of the Bid received from Universal Electric of Florida, Inc., is recommended for the following reason. Universal Electric of Florida, Inc., is pre-qualified for an aggregate project limit of \$7,500,000. As per Document 00410, Bid Form, page 2, Rules, "When a Bidder's Pre-Qualification Aggregate Limit amount is Awarded, or an additional Award would cause the Pre-Qualification Aggregate Limit to be exceeded, then no further Awards to the Bidder shall be considered." Award of this item, \$10,000,000, would exceed the Pre-Qualification Aggregate Limit for Universal Electric of Florida, Inc.

Scope of Work:

The purpose of this Bid is to establish a term contract for procurement of electric services with one main contractor, for various electric projects up to \$1,000,000, as needed, when needed, to meet scheduled and unscheduled project needs as required. The contract term shall be for three (3) years in a cumulative amount not to exceed \$10,000,000, with an option to renew for one year and an additional \$2,000,000.

Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$18,500,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2010-11. Budgeted for fiscal year 2011-12 is \$9,893,000 and for fiscal year 2012-13 is \$14,000,000.

The maximum financial impact is \$10,000,000. There is no financial impact at this time. This agenda item does not commit any district funds, nor does it create a guarantee of any work for the Minor Projects – Electric Services Contractor. This establishes purchasing authority only so that if there is a properly funded construction project that requires electric services, these contractors can be used.

Since this item is not affecting the Capital Budget, it does not require a collaboration form from the Capital Budget Department.

Mrs. Good requested an update by staff on this contract award.

Ms. Meloni informed that the term contract of \$10 million would be used in the same manner as any of the other construction services, minor projects or open-ended term contracts. If the project is electrical in scope, this type of contract and vendor would be utilized. Ms. Meloni stated that extensive electrical services would be provided to a large facility such as upgrading due to a fire.

Mrs. Good requested additional information, samples as to what would be used for.

Approved in Open Board Meeting, July 22, 2011

Mrs. Rich Levinson inquired why there is not an alternate contractor on this Board item.

Ms. Meloni responded that she would research the request and provide information to the Board.

Responding to Mrs. Bartleman's inquiry, Ms. Meloni stated that the \$10 million is over a three-year period and there are no dollars attached until there is a project. She stated if there is a certain limit per policy, staff would need approval from the Board to award the project.

Mrs. Rich Levinson requested postponing the agenda item to the next School Board meeting so that information is presented regarding the alternate contractor and what the money would be used for.

Motion to Postpone (Carried)

Motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to the June 21, 2011, Regular School Board Meeting. (9-0 vote)

A vote was taken on the Motion to Postpone.

JJ-6. Award of Contract – Kaufman Lynn Construction, Inc. – Fort Lauderdale High School – Phased Replacement – Project No. P.000687 (f.k.a. 0951-27-01) (Approved)

Motion was made by Ms. Levinson, seconded by Mrs. Rich Levinson and carried, to approve the recommendations in Exhibit 1, which include the award of a construction contract for Fort Lauderdale High School, Phased Replacement, Project No. P.000687, to the low bidder meeting the bid specifications, Kaufman Lynn Construction, Inc., in the amount of \$15,998,000, and recommendations for the rejection of proposals with material deviations and for the waiver of technicalities and approve the reduction of the budget by \$909,435 from \$22,366,085 to \$21,456,650. Ms. Murray and Mrs. Rupert were absent. (7-0 vote)

The construction budget is \$17,440,290.

Project Consultant: Manuel Synalovski Associates, LLC.
Contractor: Kaufman Lynn Construction, Inc.

Approved in Open Board Meeting, July 22, 2011

Scope of Work:

This Project comprises: demolish existing swimming pool (Bldgs. 15 and 16); demolish existing tennis courts; demolish Buildings 1, 2, and 3; construct two 3-story buildings (one administration and one classroom) of approximately 68,940 gross square feet combined to include administration, three (3) general classrooms, five (5) resource rooms, four (4) science labs and related spaces, 4-classroom ESE suites, one (1) business technology lab, one (1) family and consumer science (ProStart) lab, one (1) health occupations lab, one (1) pre-law public service education lab, custodial spaces, textbook storage, and student, staff and public restrooms. Remodel existing science building (Building 8). Construct new parent drop off and pick up areas and staff/visitor parking. Construct new student parking area on west side of the site to increase parking capacity by 92 spaces. Modify existing temporary bus loop to meet SREF code and ADA standards; ADA modifications will include barricades and covered sidewalk. Remodel existing courtyard for ADA access to gym and auditorium.

Funding in the Adopted District Educational Facilities Plan for the Phased Replacement including the Pool Replacement project is \$26,212,279. The projected cost for the Phased Replacement is \$21,456,650 and for the Pool Replacement is \$3,846,194, totaling \$25,302,844.

The amount of the contract shall be \$15,998,000. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015, page 93. This is a Qualified School Construction Bonds project and must follow the Davis Bacon Act. Based on the PFA, the Phased Replacement project at Fort Lauderdale High School is projected to cost \$21,456,650. The budget approved in the Adopted District Educational Facilities Plan is \$22,366,085. The project budget will be reduced by \$909,435 and these funds will be placed in the Capital Reserve. The Capital Reserve will be utilized to fill the revenue shortfalls in the District Educational Facilities Plan.

Mrs. Rich Levinson requested an explanation regarding the item.

Ms. Meloni explained that the reduction indicates that because the bid came in lower than what staff anticipated, there is a reduction on the \$909,435 from the original project budget of \$22,366,085. There is a reduction to \$21,456,650 based on the bid coming in lower.

Mrs. Rich Levinson stated that the construction budget is \$17,440,290. She voiced concern over the construction budget and the amount of the contract.

Ms. Meloni responded that the \$17,440,290 was the previous estimate for the construction budget, but the actual bid came in at \$15,998,000.

Approved in Open Board Meeting, July 22, 2011

Mr. Omar Shim, Director, Capital Budget, explained that the difference is the overall project budget versus the actual contract budget. Mr. Shim stated that the overall project budget in the Five-Year Capital Plan was \$22,366,085 and there is a reduction in the overall budget by the \$909,435. There may have been a reduction of the contract price, but there were other areas other than the actual contract that had cost considerations, like the design or furnishings. The overall project and project budget was re-evaluated, which resulted in a savings of \$909,435.

The following individual addressed this item:

Mary Fertig

Ms. Dinnen spoke of the spirit of the community who support their school.

JJ-7. Change Orders (Approved)

Motion was made by Mrs. Good, seconded by Ms. Dinnen and carried, to approve change orders as listed for various school projects, and approve an increase of \$1,471,821, to the Capital Projects Reserve. Ms. Dinnen, Ms. Murray and Mrs. Rupert were absent for the vote. (6-0 vote)

<u>Beachside Montessori Village</u>		Change Order 11	\$18,815
Owner Request	\$17,065		
Unforeseen Condition	\$1,750		
<u>Colbert Elementary</u>		Change Order 09	\$8,180
Owner Request	\$8,180		
<u>Dania Elementary</u>		Change Order 03	\$295,651
Owner Request	\$295,651		
<u>Ely, Blanche High</u>		Change Order 03	\$7,111,037
(CREDIT)			
Owner Request	\$7,111,037 (CREDIT)		
<u>Lauderdale Manors Elementary</u>		Change Order 02	\$3,889,659
(CREDIT)			
Owner Request	\$3,889,659 (CREDIT)		
<u>Pembroke Pines Elementary</u>		Change Order 06	\$270,429
(CREDIT)			
Owner Request	\$270,429 (CREDIT)		
<u>Walker Elementary</u>		Change Order 03	\$43,266
Consultant Omission	\$469		
Owner Request	\$42,797		

Approved in Open Board Meeting, July 22, 2011

Financial Impact: The resulting financial impact shown below will increase the Capital Projects Reserve by \$1,471,821. Dania Elementary P.000012 – \$280,000; Pembroke Pines Elementary P.000227 – \$270,429 CREDIT; Lauderdale Manors Elementary P.000775 – \$688,522 CREDIT; and Ely, Blanche High P.000068 – \$792,870 CREDIT. There is no additional financial impact to the district.

Mrs. Rich Levinson inquired how the \$1,471,821 financial impact was derived.

Referring to the Capital Collaboration Form, Mr. Shim responded that credits add up to the \$1,471,821 amount. Mr. Shim stated that some of the change orders do not have an impact on the overall project budget; there is a change-order line that accounts for those amounts, and any over the change-order lines there is a financial impact on the project budget, as summarized on the Collaboration Form. There are only four projects that have a financial impact, one is Dania Elementary that reduces the project, \$280,000 that is needed for the project, and the schools with credits. Pembroke Pines, Lauderdale Manors and Blanche Ely schools are credits, increasing the reserve by the net amount.

KK. OFFICE OF CHIEF FINANCIAL OFFICER

Following the action of Agenda Item BB-1, the following Attorney-Client Session commenced at 2:20 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 June 7, 2011, 2:00 p.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: Pompano Imports, Inc. vs. The School Board of Broward County, et al., Case No.: 11-009753 (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., Alan L. Gabriel, Esq.; Mitchell Burnstein, Esq., Robert P. Vignola, Esq.; and Marilyn Batista-McNamara, Esq.

Approved in Open Board Meeting, July 22, 2011

“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.”

The Attorney-Client Session recessed at 4:15 p.m. The Regular School Board meeting reconvened at 4:15 p.m.

Adjournment This meeting was adjourned at 6:06 p.m.

RT